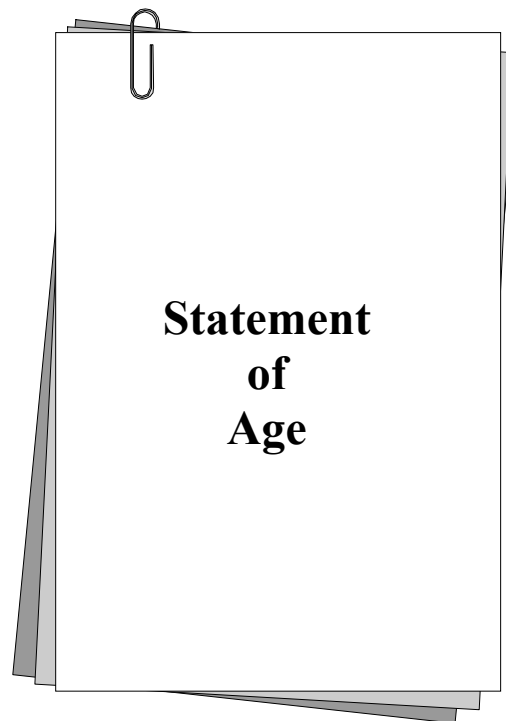


Working Papers Manual



**Includes Certificates,
Forms and Procedures for the
Employment of Minors**

State of Connecticut

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Working Papers Manual

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Preface

Our state and federal governments have enacted laws relating to the employment of minors for the equal protection of both the minor and the employer. The minor is protected from harmful or hazardous work. The employer is protected from the falsification of age and from placing a minor in illegal employment.

The Connecticut laws listed in this procedural manual cannot be all-inclusive, as many new laws are passed annually. The same applies to federal laws. Also, please note that, in addition to the education laws, this manual includes laws from other titles of the Connecticut General Statutes. They have been selected on the basis of their relevance to the employment of minors. You will need to refer to sections of the General Statutes which have not been included. If you need further information relating to labor laws, you may direct your questions to the Wage and Workplace Standards Division of the Connecticut State Department of Labor, 200 Folly Brook Boulevard, Wethersfield CT 06109, (860) 263-6791. Information may also be obtained through the division's web site:

www.ctdol.state.ct.us

The **Statement of Age Form ED-301**, also called “**working papers**,” a certificate of age or the employment certificate, has been printed in accordance with the Connecticut laws relating to the employment of minors and the policies set forth by the State Board of Education for issuing such certificate. The Bureau of Early Childhood, Career and Adult Education has been designated as the agent for distributing these certificates to the superintendent of schools of any local or regional board of education or an agent designated by such superintendent. Requests for further information relating to these certificates for minors may be directed to the Connecticut State Department of Education, Bureau of Early Childhood, Career and Adult Education, Attention: Carl Paternostro, 25 Industrial Park Road, Middletown, CT 06457, (860) 807-2110.

Acknowledgments

This manual was produced through the cooperative efforts of the Wage and Workplace Standards Division and the Apprenticeship Training Unit of the Connecticut State Department of Labor and the Bureau of Early Childhood, Career and Adult Education of the Connecticut State Department of Education. Special appreciation is extended to the Department of Labor for their continuous support and generous contribution of ideas and information. Thanks also to Gary Pechie, Director of the Wage and Workplace Standards Division, for his thorough review of the document.

Special thanks are offered to Nadine Dube of the Bureau of Health and Nutrition Services, Child/Family Partnerships and Roger Rocheleau of the Wage and Workplace Standards Division for their technical assistance and support in preparing this manual.

PART A – Working Papers



Statement of Age Form ED-301 “Working Papers”

I. GENERAL REQUIREMENTS FOR ISSUANCE

The purpose for the certificate of age as outlined in Sec. 10-193 of the Connecticut General Statutes is to ensure that high school students under the age of 18 have proper documentation as to age and are employed in occupations that are acceptable under the law.

Connecticut issues this employment certificate, **Statement of Age Form ED-301**, to:

- (1) minors 16- and 17-years old who desire nonhazardous jobs in any manufacturing, mechanical, service recreation, amusement, restaurant or mercantile establishment; and
- (2) minors 15-years of age who desire nonhazardous jobs in any mercantile establishment.

The **Statement of Age Form ED-301** is used as a verification of a minor’s legal age. Please see Appendix A, a copy of a **Statement of Age Form ED-301**.

The superintendent of schools of any local or regional school system or an agent designated by the superintendent shall issue the **Statement of Age Form ED-301** to any resident minor who desires employment and has met all the requirements for being issued a **Statement of Age Form ED-301**. This employment certification is also commonly referred to as “**working papers**.”

All issuing officers of any local or regional school system must adhere to the following minimum requirements in performing their duties as issuing agents of the **Statement of Age Form ED-301**:

- All supporting documents submitted must be authentic and not altered or erased.
- Under no circumstances should a certificate be issued before a minor has reached the exact age required by law.
- The **Statement of Age Form ED-301** must be completed in triplicate: one copy for the minor, one copy for the employer, and one copy for the issuing officer’s files.
- The **Statement of Age Form ED-301** must be signed by the issuing officer in the appropriate places.
- The issuing officer must maintain a file for each minor who has applied for or has received a **Statement of Age Form ED-301**.

PART A – Working Papers



- The file should contain at least a copy of the signed **Statement of Age Form ED-301**, a copy of the signed **Promise of Employment**, and other supporting documents, e.g., birth certificate, baptismal certificate, driver's license, etc.
- The issuing officer must follow the criteria for issuing a **Statement of Age Form ED-301** as noted on the following page.

1. Criteria for Issuing a Statement of Age Form ED-301

A minor who wishes to be issued a **Statement of Age Form ED-301** must:

- be 16-years of age;*
- appear in person at the local education agency;
- have authentic evidence of age;
- have a written promise of employment signed by the prospective employer;
- have written evidence of U.S. Citizenship and Immigration Service (USCIS) approval if an immigrant student;
- have an apprenticeship approval card if applicable; and/or
- have **Certification Form LED 75-1** if enrolled in a School-to-Career/Cooperative Work Education Program.

***Note:** Under certain condition and specific circumstances, a **Statement of Age Form ED-301 may be issued to** a minor who has reached the age of fourteen to be employed or permitted to work as a caddie or in a pro shop at any municipal or private golf course or to a minor who has reached the age of fifteen for employment in any mercantile establishment as a bagger, cashier or stock clerk only. For further information, please refer to Section 31-23(b)(1) of the General Statutes found in Appendix H.

2. Authentic Documentation/Evidence of Age

There are various documents which are legally acceptable as proof of a person's age. The following is a list of documents which may be used as proof of age. The documents are listed in order of acceptability; e.g., a birth certificate is more acceptable than a driver's license:

- a birth certificate issued by a town official;
- a baptismal certificate which shows date and place of birth;
- a hospital certificate imprinted with the hospital's name;
- an attending physician's certificate;
- a U.S. Census record supported by parent affidavit (see Affidavit of Parent on Page 3);
- a bible record in existence for five years prior to submission;
- a driver's license;
- a passport when month, day and year of birth is listed;
- authorized school records.

PART A – Working Papers



Persons who were born in a foreign country may use these documents plus the following additional sources:

- a vaccination certificate which is often used by other countries in lieu of a birth certificate;
- an immigration identification card which includes month, day and year of birth;
- a United States immigration record which includes month, day and year of birth;
- citizenship papers either of parent or minor.

Note that immigrant students applying for a **Statement of Age Form ED-301** must *first* register with and ask permission of the United States Office of Citizenship and Immigration Services, U.S. Department of Justice. Before a **Statement of Age Form ED-301** can be issued, the immigrant student *must* provide to the issuing officer or agent written evidence that the United States Office of Citizenship and Immigration Services (USCIS) has been notified and has granted the student permission.

3. Notarized Affidavit of Parent

Occasionally, a minor student will have a written **Promise of Employment**, but is unable to produce the required evidence of age document. In this case, the parent must swear to the minor's correct date of birth (i.e., day, month and year) in a notarized affidavit. The parent's sworn affidavit may be used as authentic documentation/evidence of age.

4. Written Promise of Employment or Facsimile

An extremely important part of issuing a **Statement of Age Form ED-301** is the evaluation of the written **Promise of Employment**. The issuing agents or officers may use their discretion in evaluating the **Promise of Employment**. However, good judgment must be used in determining the acceptability of the job. The issuing agent or officer must carefully assess the written **Promise of Employment**.

The written **Promise of Employment** must state specifically what the job is that the individual will be doing. No vague job descriptions such as helper, general worker, laborer, maintenance, clean-up, janitor, custodian, sweeper, messenger, errand person, porter, gas station attendant or other title should be accepted. If any changes or alterations appear on the written **Promise of Employment**, they should be authenticated and verified by the employer's signature next to the change(s).

PART A – Working Papers



A **Promise of Employment** should be written on the employer's letterhead paper. If the employer does not have letterhead paper, the following are considered acceptable facsimiles:

- name, address and telephone number of the firm typewritten or stamped at the top of the written **Promise of Employment**;
- name, address and telephone number of the firm typewritten below the signature of the employer signing the written **Promise of Employment**; or
- name, address and telephone number of the firm legibly handwritten below the signature of the employer signing the written **Promise of Employment**.

Attached as Appendix B is a sample copy of the written **Promise of Employment** format.

5. Limitations of Statement of Age Form ED-301

The following are some of the limitations that should be considered regarding employment and the issuance of the **Statement of Age Form ED-301**:

- a) **Employment in more than one establishment**: If a minor works two jobs, the minor must have an original set of **Statement of Age Form ED-301** for each employer.
- b) **Out-of-state employment**: Connecticut's **Statement of Age Form ED-301s** are not valid for out-of-state work, because the laws and regulations for issuing certificates in other states may not be the same as in Connecticut. When a Connecticut resident has obtained work out-of-state, he/she should be advised to apply for his/her employment certificate in the town where the employment is located. The reverse is also true in that employment certificates from other states are not valid for work in Connecticut.
- c) **Out-of-state minors**: If an out-of-state minor obtains work in Connecticut and a certificate is required, the minor may apply to the town where his/her prospective place of employment is located. If the minor is temporarily residing in Connecticut, the town in which he/she resides may also issue the certificate. Regardless of where the out-of-state minor obtains a certificate, the out-of-state minor must meet the criteria outlined on Page 2 of this manual.
- d) **Transfers/reissues**: Each employer of a minor must have a **Statement of Age Form ED-301** for each minor made out in the person's name. A minor's **Statement of Age Form ED-301** is *nontransferable*. Any minor who has lost his/her original **Statement of Age Form ED-301** must apply for a reissued **Statement** in the same manner as for an original application. The applicant must meet the same issuing criteria in order to receive a reissued **Statement of Age Form ED-301**. Occasionally, an employer may misplace, destroy or lose the Statement of Age. In order for the employer to avoid potential penalties from the Department of Labor during a Workplace Standards Inspection, the employer should ask the issuing authority for a copy of the original. If the date of the original predates the date of the Workplace Standards Inspection, the penalty is waived.

PART A – Working Papers



6. Employment Not Requiring Statement of Age Form ED-301 (14- and 15-Year-Olds)

There are certain areas of employment for which a **14- or 15-year old minor** does not have to obtain a **Statement of Age Form ED-301**. The following is a partial listing of occupations: baby-sitting, newspaper delivery, household chores for private homeowners, library attendants, shoe shining. For a complete listing of and further information regarding employment not requiring a **Statement of Age Form ED-301**, contact the Wage and Workplace Standards Division of the Connecticut Department of Labor, 200 Folly Brook Boulevard, Wethersfield CT 06109 (860) 263-6791.

7. Apprenticeship Programs

Employment of minors in occupationally licensed trades [electrical, plumbing, heating, piping, air conditioning, and fire protection (sprinkler fitting)] requires registration as a pre-apprentice prior to the issuance of the **Statement of Age Form ED-301**. Apprentices must be at least 16-years of age.

An apprenticeship is usually defined as a prescribed period of time during which an individual (apprentice) learns a trade through on-the-job training and classroom instruction. In Connecticut, apprenticeship programs are usually from two to four years in duration. State law permits a minor of at least 16-years of age to work on jobs considered hazardous only when he/she is enrolled in a bona fide apprenticeship program and is registered as an apprentice with the Apprenticeship Training Unit of the Connecticut Department of Labor.

Please note that no “working papers” shall be issued for apprentice trades UNLESS the minor presents the following documents:

- a fully-completed apprenticeship approval card signed by the Apprenticeship Training Unit of the Connecticut Department of Labor;
- authentic evidence of age; and
- a written promise of employment.

When such a placement is made, particularly if it is initiated by school officials, employers should be advised of the requirement for a Statement of Age so that they will not be liable for a potential penalty of \$300 if monitored by the Department of Labor during a Workplace Standards Inspection.

A partial listing of approved apprenticeship programs is included as Appendix C. However, for a complete listing and further information regarding approved apprenticeship programs, contact the Apprenticeship Training Unit of the Connecticut Department of Labor, 200 Folly Brook Boulevard, Wethersfield CT 06109 (860) 263-6085.

PART A – Working Papers



II. GENERAL OPERATIONAL PROCEDURES

It is necessary to implement procedures in order to ensure that effective and efficient procedures for issuing the employment certificates for minors are in place. The following procedures are designed to assist the designated issuing officer.

1. Local Program Operations

It is important that the general public be informed regarding the location and hours of operation where they may receive the certificate, commonly referred to as “**working papers**.” In addition, the local or regional school system should make proper provisions for issuing certificates during school vacation periods. To inform the general public about “**working papers**,” various means of communication should be used. Some examples include:

- announcements on local radio or television;
- news items in local newspaper(s); and
- school assembly, school newspapers or bulletins.

Please note that the Bureau of Early Childhood, Career and Adult Education should be notified in writing whenever there are any changes in the name of the issuing officer, the address of the issuing office, etc.

2. Ordering Forms

Requests for **Statement of Age Form ED-301** should be made in writing and in advance to make sure there is an ample supply of forms available. Each pad contains 100 **Statement of Age Forms**. No more than two pads can be mailed. For larger quantities, arrangements can be made to obtain the forms at the Bureau of Early Childhood, Career and Adult Education.

Special arrangements should be made for the summer, since the demand for “working papers” increases. Summer orders must be received at the Bureau of Early Childhood, Career and Adult Education *by May 31 of each school year*.

All requests should be addressed to the Bureau of Early Childhood, Career and Adult Education, 25 Industrial Park Road, Middletown CT 06457. The requestor **must be** an authorized official or designated agent of record. **No telephone orders will be accepted.** Please see Appendix A for order forms for the **Statement of Age Form ED-301** pads.

PART A – Working Papers



3. Preparation of Statement of Age Form

Each **Statement of Age Form ED-301** should be typed. No **Statement** should be issued if erasures have been made. The name of the applicant and the date of birth should be legible and not altered in any form. All forms must be properly signed by the issuing officer.

4. Designation of Agent Form

If a superintendent of schools designates a person to act as his/her agent in issuing “working papers,” then he/she must submit to the Bureau of Early Childhood, Career and Adult Education a **Designation of Agent Form** stating the person’s name, position and location. If there are changes, the Bureau ***must be notified in writing***. Please see Appendix D for a copy of the form.

5. Maintenance of Records

Each issuing officer must maintain a file for each minor who has applied for or has received a **Statement of Age Form ED-301**. The file should contain at least a copy of the signed “working papers” and supporting documents. Each issuing office should maintain records alphabetically by last name. Records may be destroyed three years after the minor has reached 18-years of age. ***However***, if any record is being contested, the record must be maintained on file until the contested record has been resolved.

6. Programs of Job Training and Work Experience

At times, minors under the age of 18 may participate in school programs such as job training and work experience [e.g. School-to-Career (STC) programs, apprenticeship programs]. Before supplying an employment certificate, the issuing officer/agent should verify that the minor submits any documents required by the job training or work experience program (e.g. Apprenticeship Approval Card, STC Certification Form LED 75-1). These documents must be submitted in addition to any documentation required for the issuance of the **Statement of Age Form ED-301**.

STC programs should make every effort to inform the employer of the importance to have proper documentation (e.g., Apprenticeship Approval Card, STC Certification Form LED 75-1, Statement of Age Form Ed-301) on file prior to the individual starting employment.

PART B – Other Employment Certificates



Other Connecticut Employment Certificates for Minors

Connecticut has several other types of working certificates or permits for minors, not all of which are issued through the Connecticut State Department of Education. The Connecticut Department of Labor issues several certificates or permits. Please note references to the Connecticut Department of Labor or other state agency.

1. Agricultural Work Permit

No minor under 16-years of age can be employed in agriculture when school is not in session unless he or she presents to the employer a birth certificate, an agricultural work permit or other legal proof of age. Each employer must retain in his possession, and make available to the Commissioner of Labor or his agent, such legal proof of age, until the minor leaves his/her employment. When the minor leaves his/her employment, the employer must return to each minor such proof of age.

2. Apprenticeship Approval Card

A minor at least 16-years old must be enrolled in an official apprenticeship program and registered as an apprentice in order to receive an **Apprenticeship Approval Card**. This card is issued **only** through the Connecticut Department of Labor and must be approved by the Apprenticeship Training Unit.

3. Vocational Probation/Parole Employment Permit

Certain minors 14- or 15-years old placed under the jurisdiction of the Juvenile Court or the Connecticut Department of Children and Families may be employed in **nonhazardous** jobs normally restricted to 16- or 17-year olds. **Vocational Permits** are **only** issued through the Bureau of Early Childhood, Career and Adult Education, State Department of Education.

The Bureau of Early Childhood, Career and Adult Education will issue a **Vocational Permit** **only** upon receiving the following documents: (1) the written approval of the Juvenile Court and (2) a written promise of employment with a specific job description signed by the employer on the company's stationery. Included in Appendix E are a copy of the **Vocational Permit**, a sample of the Juvenile Court's written approval and a sample of an appropriate **Employer's Promise of Employment**.

4. School-to-Career/Cooperative Work Education Program

(Certification Form LED 75-1, Employment of Minors)

A minor 16- to 17-years of age cannot work on hazardous tasks at an on-the-job training worksite **UNLESS** (1) the School-To-Career/Cooperative Work Education Program has been approved by the Connecticut Department of Labor and the Connecticut Department of Education and (2) the training worksite has been approved by the Connecticut

PART B – Other Employment Certificates



Department of Labor. In addition, the local education agency must have completed and submitted to the Department of Labor a **Certification Form LED 75-1, Employment of Minors** for each minor participating in the work-based component of the School-To-Career/Cooperative Work Education Program. Once approved by the Department of Education, the LED-75 will be forwarded to the Department of Labor for approval. Please also note that the local education agency must have completed a **Statement of Age Form ED-301** (“working papers”) for each participating minor. Under no circumstances should the individual begin hazardous employment tasks until the LED-75 has been approved by the Department of Labor.

Each local education agency and employer must keep on file, and make available to the Commissioner of Labor and Commissioner of Education or their agents, a copy of the current approved training agreement between the local education agency and the employer. These files must include a duly executed copy of each participating minor’s **Certification Form LED 75-1** approved by the Connecticut Departments of Education and Labor, and a duly executed copy of each participating minor’s **Statement of Age Form ED-301** (“working papers”). A copy of **Certification Form LED 75-1** is included in Appendix F.

PART C – Restrictions on Employment of Minors



Restrictions Concerning the Employment of Minors

The following sections are guidelines regarding certain restrictions which affect the employment of minors. These guidelines are not intended to be all-inclusive and cannot be all-inclusive, as many new laws and regulations are passed annually. We strongly recommend that you contact the Wage and Workplace Standards Division of the Connecticut Department of Labor, 200 Folly Brook Boulevard, Wethersfield CT 06109, (860) 263-6791, whenever you have any questions concerning legal restrictions in the employment of minors.

1. Hazardous Employment

As a general guideline, no minor under 18-years of age may be employed in any job which the Connecticut Department of Labor declares as hazardous. There are few exceptions (e.g. bona fide apprenticeship programs). Please refer to Section 31-23-1 of the Regulations of Connecticut State Agencies found in Appendix G. For further information, please contact the Wage and Workplace Standards Division of the Connecticut Department of Labor, 200 Folly Brook Boulevard, Wethersfield CT 06109, (860) 263-6791.

2. Wages

As a general guideline, minors under 18-years of age must be paid for all work that is typically paid work. In addition, they must be paid at minimum wage (i.e., the Connecticut or federal minimum wage, whichever is higher) and must be paid 1.5 times their regular rate for each hour worked beyond the 40-hour workweek, just as any other employee. The Connecticut minimum wage is \$7.10 per hour (effective 1/1/04). For further information and answers to specific questions, please contact the Wage and Workplace Standards Division of the Connecticut Department of Labor, 200 Folly Brook Boulevard, Wethersfield CT 06109, (860) 263-6791. The website address is: www.ctdol.state.ct.us.

3. Hours of Employment

As a general rule, 6 a.m. to 10 p.m. are the allowed hours of employment, and 8 hours per day, 6 days/48 hours per week are the maximums. Also, as a general rule, **no minor who is enrolled in school and under 18-years of age may be employed during school hours.** As previously stated, the only exceptions are approved state approved apprenticeships, Cooperative Work Education Programs and/or School-To-Career Initiatives, and Vocational Probation/Parole Employment Programs. For further information and answers to specific questions, please contact the Wage and Workplace Standards Division of the Connecticut Department of Labor, 200 Folly Brook Boulevard, Wethersfield CT 06109, (860) 263-6791.

PART C – Restrictions on Employment of Minors



The following are general guidelines according to the minor's age and type of employment:

A. Time and Hours of Employment for 16- and 17-Year-Old Minors

Note: Minors who are 16- or 17-years of age and have not graduated from high school but are officially withdrawn from school may work 9 hours per day/48 hours per week in a retail or mercantile establishment only.

- **Restaurants, Cafes or Dining Rooms, Recreational, Amusement, Theaters**

School Week

6 a.m. to 11 p.m. (midnight if no school the next day)
6 hours per day on school days
8 hours per day on Friday, Saturday and Sunday
6 days per week/32 hours per week

Non-School Week

8 hours per day
6 days per week/48 hours per week

- **Retail/Mercantile/Manufacturing/Mechanical**

School Week

6 a.m. to 10 p.m. (11 p.m. if no school the next day)
6 hours per day on school days
8 hours per day on Friday, Saturday and Sunday
6 days per week/32 hours per week

Non-School Week

8 hours per day
6 days per week/48 hours per week

- **Hairdressing/Bowling Alley/Pool Hall/Photography**

School Week

6 a.m. to 10 p.m.
6 hours per day on school days
8 hours per day on Friday, Saturday and Sunday
6 days per week/32 hours per week

Non-School Week

8 hours per day
6 days per week/48 hours per week

PART C – Restrictions on Employment of Minors



B. Time and Hours of Employment for 14- and 15-Year-Old Minors

Note: 14-year old minors may *only* be employed or permitted to work as a caddie or in a pro shop at any municipal or private golf course. 15-year old minors may *only* be employed in a **mercantile establishment** as baggers, cashiers or stock clerks from September 30, 2002 to September 30, 2007, inclusive. *However, during the school year, 14-year-old minors employed as a caddie or in a pro shop at any municipal or private golf course and 15-year-old minors employed in a retail food store may only work on Saturdays for no more than 8 hours.*

The times and hours of employment are **generally limited to:**

- periods of school vacation during which school is **NOT** in session for five consecutive days or more;
- for not more than 40 hours in any week;
- for not more than 8 hours in any day; and
- the hours of 7 a.m. to 7 p.m., except from July 1 to the first Monday in September when the 15-year old minor may work until 9 p.m.

Please note that when issuing “working papers” to 14- or 15-year-old minors, the restrictions, Saturday or school vacation only, must be written on the form.

4. Employment Involving a Motor Vehicle

There are several restrictions concerning the employment of a minor which involves his or her driving a motor vehicle (e.g., driving, limited to vehicles up to 3/4-ton truck, with proper bodily injury liability and property damage insurance; no fork lift trucks; no construction equipment). Minors who are 16-years of age may not drive as part of their employment. Minors who are 17-years of age may drive up to 25 percent of their work time.

Because statutes governing restrictions are subject to annual legislative changes, please contact the Wage and Workplace Standards Division of the Connecticut Department of Labor, 200 Folly Brook Boulevard, Wethersfield CT 06109, (860) 263-6791.

5. Exemption from Connecticut Child Labor Laws

Connecticut laws allow minors under 18-years of age *who have graduated from high school* to work at the same daily and weekly hours and times of day as adults. Minors who are high school graduates are exempt from the Connecticut prohibitions, *but not* from the federal employment prohibitions.

Appendix A

SAMPLE ONLY – NOT TO BE USED AS ED-301

Statement of Age Form ED-301 (Sample — Front)

FORM ED-301 REV. 1/99

Date _____



STATEMENT OF AGE

(Secs. 10-193, 10-194, and 31-32, G.S.)

This certifies that there is evidence filed with the Superintendent of Schools of the town of

_____, Connecticut, showing that (full name) _____

residing at (address) _____

(city/town) _____ is over _____ (actual years) years of age

and is / is not (cross out non-applicable) attending school. Age and place of birth verified by

_____ (birth certificate, sworn statement). The head of household at the above

address is (full name) _____ (relationship to minor) _____.

Employer name _____, address _____

_____, city / town _____. Type of

work to be performed _____.

Employee's Date of Birth

(Signed)

Authorized Issuing Officer

Distribution: *White Copy* * - Employee *Yellow Copy* – Superintendent of Schools *Pink Copy* – Employer

Appendix A

Statement of Age Form ED-301 (Sample — Back)

PLEASE READ CAREFULLY

This is your “working paper.”

DO NOT LOSE IT COPIES ARE NOT ISSUED

Minors must appear in *person at the office of the superintendent of schools or his agent in the town of residence*, when applying for *first papers*, bringing with them at the time, an unaltered birth certificate and a written promise of employment, showing *exact* nature of job, in each case.

All subsequent employers must be covered by original papers, which should be obtained, in each case, by submitting a written promise (as above) of new job to the original office of issuance. This new promise should give the minor's name and address.

Minors under eighteen (18) years of age may *not* be employed in hazardous occupations.

When changing your employment, you should return working papers to the office where originally obtained with a WRITTEN PROMISE of your new job. If you can produce your copy (white copy*) of your Working Paper, you may be legally employed for seven (7) days thus giving your new employer an opportunity to receive a new certificate. If this copy is not available, you **MUST** wait UNTIL your new employer has a copy of your Working Paper in their files before you may begin work.

SAMPLE

CONNECTICUT STATE DEPARTMENT OF EDUCATION
Division of Teaching and Learning Programs and Services
Bureau of Early Childhood, Career and Adult Education
25 Industrial Park Road
Middletown, Connecticut 06457

ORDER FORM

Statement of Age – Working Papers

Name of Designated Issuing Agent _____

Address _____

Date of Request _____

Mail request to: Working Papers
Division of Teaching and Learning Programs and Services
Bureau of Early Childhood, Career and Adult Education
25 Industrial Park Road
Middletown, Connecticut 06457

If you need additional copies, please duplicate.

FAX number is: (860) 807-2112

e-mail address is: idalia.thayer@po.state.ct.us

APPENDIX B

Promise of Employment (Sample)

LETTERHEAD WITH THE NAME AND ADDRESS
OF THE EMPLOYING FIRM OR AGENCY

PROMISE OF EMPLOYMENT

Upon receipt of a Working Certificate from the Connecticut State Board of Education,

I promise to employ _____ for the following **specific job duties**:
(Name of Person)

at a starting rate of \$ _____ per hour for a work week of _____ hours.

Minors who are 14-years-old may only work on Saturdays as caddies or in a pro shop at a municipal or private golf course and minors who are 15-years-old may only work on Saturdays in supermarkets and on non-school weeks in all other retail establishments (Sec. 31-23 (b) (1)).

Signed: _____
(Authorized Firm/Company Official)

Date: _____

Name of Firm/Agency: _____

Address: _____

Rev. 1/2004
g/wrkgpapr

APPENDIX C

Partial Listing of Approved Apprenticeship Programs State of Connecticut

Auto body repairer	Land surveyor
Auto mechanic	Locksmith
Bricklayer	Machine setter
Cabinetmaker	Machinist
Carpenter	Meat cutter
Cement mason	Medical technician
Construction equipment mechanic	Metal fabricator
Cook	Millwright
Dental technician	Mold maker
Die maker	Motorcycle repairer
Diesel mechanic	Offset press operator
Die sinker	Oil burner servicer
Drafter	Optician
Electrical instrument repairer	Painter
Electrician	Plumber
Electronic mechanic	Precision lens grinder
Farm equipment mechanic	Refrigeration mechanic
Four slide machine setter	Screw machine setup
Front end mechanic	Sheet metal worker
Gear cutting machine setup operator	Small engine mechanic
Glazier	Springmaker
Gunsmith	Tool grinder
Grinder setup operator	Tool and die maker
Heat treater	Turret lathe setup
Injection-molding machine operator	Web press operator

NOTE: Please contact the [Connecticut Department of Labor](#)
[Office of Apprenticeship Training](#)
[200 Folly Brook Blvd.](#)
[Wethersfield, CT 06109](#)
[Phone: \(860\) 263-6085](#)
[Fax: \(860\) 263-6323](#)

Designation of Agent Form (Sample)

DESIGNATION OF AGENT FOR ISSUANCE OF "WORKING PAPERS"

I, _____, as Superintendent of Schools for _____,
(Name of Superintendent) (Name of School System)

authorize the following person(s) at _____ to act as my agent for issuing
(Name of School)

the Certificate of Age ("Working Papers"), pursuant to Section 10-193 of the CGS, to minor students

under the age of eighteen years attending the above school:

Name(s) of Agent(s)

Position(s) of Agent(s)

I further agree that my agent(s) and I shall meet the statutory and regulatory requirements governing the Certificate of Age ("Working Papers"). If any changes should occur which would substantially affect this authorization, I shall immediately inform **in writing** the Bureau of Early Childhood, Career and Adult Education of such changes.

Signature of Superintendent

Date

Note: Please complete one form for each school where the authorized issuing agent works. Please forward original copy for each school to the Bureau of Early Childhood, Career and Adult Education and maintain at least one copy of each school's form for your records on file.

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rev.7/04

APPENDIX E

Vocational Permit and Other Documents (Samples)

VOCATIONAL PERMIT

Student's Name:	Date Of Birth:
Student's Address:	
Employer Firm/Agency:	
Address:	
Job Duties:	
Under the provisions of section 46b - 140(g) of the Connecticut General Statutes, the minor named above is permitted to work at the place and duties specified, subject to laws and regulations governing the employment of minors sixteen to eighteen years of age.	
SIGNED:	DATE:
Carl Paternostro, Consultant Bureau of Early Childhood, Career And Adult Education	

To The Employer:

Thank you for cooperating in this vocational project.

For your protection, as well as for the minor, please be advised that **no minor may be employed in a hazardous occupation, unless registered as an apprentice or enrolled in a school work-study program**. Questions concerning the legality of specific jobs to be performed should be addressed to the Connecticut State Labor Department, Wage And Workplace Standards Division, 200 Folly Brook Boulevard, Wethersfield, CT 06109-1114 (860-263-6791).

This permit is valid until the minor's 16th birthday. Following this date, working papers must be obtained through the Board Of Education in the minor's town of residence.

cc: Connecticut State Labor Department
Probation Officer
Rev. 7/04
g/wrkgpapr

APPENDIX E

SAMPLE LETTERHEAD WITH THE NAME AND ADDRESS OF THE SUPERIOR COURT - JUVENILE MATTERS

Date _____

Bureau of Early Childhood, Career and Adult Education
Connecticut State Department of Education
25 Industrial Park Road
Middletown, Connecticut 06457
Attn: Carl Paternostro

Re: _____ D.O.B. _____
(Name of Probationer)

On _____, Judge _____
(Date of Court's Action)

placed the above named child on Vocational Supervision.

I request that you issue the necessary Working Certificate, so that the work-learning program can be initiated.

Enclosed are the duly completed Vocational Permit and Promise of Employment showing the employer, his/her address, and the duties to be performed.

The probationer's mailing address is:

Thank you for your cooperation in this matter.

Sincerely,

(Signature of Probation Officer)

Enclosures
cc: Connecticut State Labor Department
Rev. 7/04

APPENDIX E

SAMPLE

LETTERHEAD WITH THE NAME AND ADDRESS
OF THE EMPLOYING FIRM OR AGENCY

PROMISE OF EMPLOYMENT

Upon receipt of a Working Certificate from the Connecticut State Board of Education,

I promise to employ _____ for the following job duties:
(Name of Person)

at a starting rate of \$ _____ per hour for a work week of _____ hours.

Minors who are 15 years old may work only on Saturdays in supermarkets and on non-school weeks in all other retail establishments (Sec. 31-23 (b) (1)).

Signed: _____
(Authorized Firm/Company Official)

Date: _____

Name of Firm/Agency: _____

Address: _____

RETURN TO:

Probation Officer
Superior Court - Juvenile Matters

Rev. 7/04
g/wrkgpapr

APPENDIX F

Connecticut Department of Labor

LED 75-1 (Rev. 01/05)

Connecticut Department of Education

Approval Form: Workplace Learning Experiences for Minor Students in Hazardous Occupations

This LED 75-1(Rev.01/05) form has been developed in accordance with the provisions of section 31-23 of the Connecticut Statutes allowing minor students (16- and 17-years of age) to be placed in paid, credit-bearing workplace learning opportunities within potentially hazardous occupations. Only such workplace learning opportunities that are structured by the school and workplace partners to integrate with the classroom curriculum, *and* monitored by local School-to-Career (STC) or Cooperative Work Education (CWE) staff whose programs have been reviewed and approved by the State Department of Education are eligible to use the state-approved LED 75-1 (Rev. 01/05) form. This form does not waive any liability issues in the workplace. ***In order to be processed and approved, a copy of the student's structured work-based learning plan must be attached. (See accompanying, complete instructions.)***

Student Name: _____ DOB: _____

Address: _____ City: _____ Zip: _____

School Name: _____ School Location: _____

Worksite/Employer: _____
Employer's Name Complete Address Phone

Workplace Mentor: _____
Mentor's Name Position Phone

Work-based Assignment: _____ *Dates: _____ Starting Wage: \$ _____/hr.
From To

STC cluster/CWE-CTE subject: _____ STC/CWE approval # _____ Equipment used: Y N
(If "Yes" describe in Work-plan)

STC/CWE Coordinator: _____
Coordinator's Name Position Phone

Signatures: Please sign on the appropriate line below. All signatories agree to comply with the requirements of structured work-based learning activities, listed on the accompanying instructions page.

School: _____ Phone: _____ Date: _____
Administrator's Name/Title/Signature

Student: _____ Date: _____
Name/Signature

Parent/Guardian: _____ Phone: _____ Date: _____
Name(s)/Signature(s)

STC/CWE Coordinator: _____ Phone: _____ Date: _____
Name/Signature

(*If summer placement, educator- monitor: _____ Phone: _____)
Monitor's Name/Signature

Employer-provided Workplace Mentor: _____ Phone: _____ Date: _____
Signature

Department of Education review: _____ Date: _____
Work-based Learning Consultant's Name/Signature

Department of Labor approval: _____ Date: _____
Wage and Workplace Standards Division Officer's Name/Signature

Use of the LED 75-1 (Rev. 01/05) form is authorized only for those students enrolled in School-to-Career Initiatives or Cooperative Work Education Programs currently approved by the Connecticut State Department of Education (SDE). Attach a copy of the student's individual structured work-based learning plan to this LED 75-1 (Rev. 01/05) form before submitting it to the Work-based Consultant at the CT SDE. To view a suggested format for a structured work-based learning plan, visit the SDE website www.state.ct.us/sde/deps/Career/WB/index.htm. Illegible/incomplete forms will not be processed and will be returned unapproved; they may be re-submitted when complete and legible.

APPENDIX F

Instructions for completing the LED 75-1 (Rev. 01/05) Approval Form:

(01/04/05)

- School-identified STC or CWE coordinators (***not employers***) shall complete this form for every ***minor*** student (16- or 17-years of age), enrolled in a STC initiative or CWE program pre-approved by the Connecticut State Department of Education, who will participate in a ***paid, credit-bearing*** work-based learning opportunity at a work-site that is potentially hazardous;
- Complete all sections, including signatures, legibly; ***illegible and/or incomplete forms will be returned unapproved***; (Note: if students complete parts of the form, educators might use this exercise as a lesson in a basic employability skill, and should screen them for legibility before submitting them to SDE);
- ***Start-dates may not occur prior to the submission and approval of this form***; under normal circumstances the approval process takes a week to ten days, from the time it is mailed to SDE, reviewed for eligibility, forwarded and approved by DOL, and mailed back to the school; around the holidays and during the summer, allow two to three weeks;
- Starting wage must be ***at least minimum wage***, which is \$7.10/hr., as of January 2004;
- If you are submitting this form under your school's current, state-approved STC initiative, enter the STC career cluster and ***current STC approval code***; if you are submitting under your current, state-approved CWE program, enter the CWE/CTE subject area and ***the current CWE approval code***;
- All work-based learning experiences must be structured to integrate the learning at the job site with the classroom curriculum; a sample ***structured work-based learning plan*** template may be found in the ***Work-based Learning Toolkit*** on the SDE website: www.state.ct.us/sde/deps/Career/WB/index.htm;
- Attach a copy of the student's individual structured work-based learning plan to this form; forms received without an attached, current work-plan will not be processed or approved;
- A ***workplace mentor***, assigned by the employer, is also recommended; the mentor-coach increases the value of the work-based learning experience and the safety of the student in these potentially hazardous situations (see above-referenced WB Learning Toolkit for a copy of the ***Workplace Mentor Guide***);
- It is highly recommended that all students, especially those participating in either STC or CWE, receive instruction in the CT Young Worker Safety Curriculum, ***Work Safe!*** This training is available to school faculty, in a train-the-trainer mode (for training information contact Judith Andrews, STC Manager and Work-based Learning Consultant at SDE: 860-713-6766 or judith.andrews@po.state.ct.us);
- ***The approval criteria and process is the same for summer STC or CWE work-based learning opportunities as those that occur during the school year.*** The name and contact information for the educator responsible for monitoring the summer work-site must be included on the front of this form and a student work-plan attached in order for the summer experience to be approved by SDE and DOL; and
- Completed and legible forms must be forwarded for initial review to Judith Andrews, Work-based Learning Consultant, at the CT State Department of Education, 165 Capitol Ave., Room 363, Hartford, CT, 06106. After initial SDE review to determine eligibility, forms will be forwarded to DOL for final approval and subsequently will be returned to the school's STC/CWE work-based coordinator.

Note: This form is not to be used for unpaid work-based learning activities such as community service/service learning, nor is it a waiver for any liability responsibility. By approving a LED 75-1 (Rev. 01/05) form, the Connecticut Department of Labor acknowledges that the student is participating in a paid, credit-bearing and structured workplace learning situation under the auspices of School to Career (STC) Initiative or Cooperative Work Education (CWE) Program, currently approved by the Connecticut State Department of Education.

APPENDIX G

Text of Selected Connecticut General Statutes and Regulations Governing the Employment of Minors*

***Note:** No claim is made, nor should any person believe or infer, that this is a full, correct and complete listing of all Connecticut General Statutes and/or Regulations governing the employment of minors within the State of Connecticut. For further information and answers to specific questions, please contact the Wage and Workplace Standards Division of the Connecticut State Department of Labor, 200 Folly Brook Boulevard, Wethersfield CT 06109, (860) 263-6791. The Wage and Workplace Standards Division may also be contacted at www.ctdol.state.ct.us

TITLE 10

Selected Education Statutes Regarding the Employment of Minors

CHAPTER 168

SCHOOL ATTENDANCE AND EMPLOYMENT OF CHILDREN

Sec. 10-184. Duties of parents. School attendance age requirements. All parents and those who have the care of children shall bring them up in some lawful and honest employment and instruct them or cause them to be instructed in reading, writing, spelling, English grammar, geography, arithmetic and United States history and in citizenship, including a study of the town, state and federal governments. Subject to the provisions of this section and section 10-15c, each parent or other person having control of a child five years of age and over and under eighteen years of age shall cause such child to attend a public school regularly during the hours and terms the public school in the district in which such child resides is in session, unless such child is a high school graduate or the parent or person having control of such child is able to show that the child is elsewhere receiving equivalent instruction in the studies taught in the public schools. The parent or person having control of a child sixteen or seventeen years of age may consent, as provided in this section, to such child's withdrawal from school. Such parent or person shall personally appear at the school district office and sign a withdrawal form. The school district shall provide such parent or person with information on the educational options available in the school system and in the community. The parent or person having control of a child five years of age shall have the option of not sending the child to school until the child is six years of age and the parent or person having control of a child six years of age shall have the option of not sending the child to school until the child is seven years of age. The parent or person shall exercise such option by personally appearing at the school district office and signing an option form. The school district shall provide the parent or person with information on the educational opportunities available in the school system.

(1949 Rev., S. 1445; 1959, P.A. 198, S. 1; P.A. 78-218, S. 116; P.A. 86-333, S. 8, 32; P.A. 98-243, S. 16, 25; June Sp. Sess. P.A. 98-1, S. 114, 121; P.A. 00-157, S. 1, 8.)

History: 1959 act deleted requirement that private instruction be given during hours and terms of public school sessions; P.A. 78-218 substituted "seven years of age and over" for "over seven"; P.A. 86-333 deleted exception for employed children over fourteen years of age; P.A. 98-243 changed age requirement for school attendance from age seven to age five and added provisions relating to parent option to send children to school at a later age, effective July 1, 1998; June Sp. Sess. P.A. 98-1 made a technical change, effective July 1, 1998; P.A. 00-157 changed the mandatory attendance age from sixteen to eighteen and added provisions for parental consent for the withdrawal of children sixteen and seventeen years of age, effective July 1, 2001.

See Sec. 10-185 re penalty for noncompliance with provisions of this section.

Words "those who have the care of children" equivalent to parents or guardians. 59 C. 489. Statute to receive a liberal construction. 59 C. 492. State can compel school attendance but cannot compel public school attendance for those who choose to seek, and can find, equivalent elsewhere. 147 C. 374. Cited. 148 C. 238; 149 C. 720. Education made compulsory because it is so important. 172 C. 615, 647. Cited. 193 C. 93, 99—102. Cited. 218 C. 1, 7. Cited. 228 C. 640, 641, 649. Cited. 238 C. 1. Cited. 34CA567, 572.

Statute widely applied, no denial of equal protection. 29 CS 397. Cited. 36 CS 357, 358.

Sec. 10-193. Certificate of age for minors in certain occupations. (a) The superintendent of schools of any local or regional board of education or an agent designated by such superintendent shall, upon application and in accordance with procedures established by the State Board of Education, furnish, to any person desiring to employ a minor under the age of eighteen years (1) in any manufacturing, mechanical or theatrical industry, restaurant or public dining room, or in any bowling alley, shoe-shining establishment or barber shop, a certificate showing that such minor is sixteen years of age or older, [and] (2) in any mercantile establishment, a certificate showing that such minor is fifteen years of age or older, and (3) at any municipal or private golf course, a certificate showing that such minor is fourteen years of age or older. (b) The State Board of Education shall establish procedures governing the issuance of such certificates.

(1949 Rev., S. 1454; 1957, P.A. 101; P.A. 78-218, S. 122; P.A. 85-308, S. 1, 3; P.A. 88-360, S. 51, 63.)

History: P.A. 78-218 substituted "local" for "town", "board of education" for "school district" and appropriate nouns for personal pronouns; P.A. 85-308 deleted former Subsec. (b) concerning certificates showing age of persons over age eighteen and under age twenty-one issued to certain prospective employers, relettering former Subsec. (c) accordingly; P.A. 88-360 in Subsec. (a) added Subdiv. designations, substituted "sixteen years of age or older" for "more than sixteen years of age" and substituted fifteen for sixteen years of age or older as the age which the certificate must show for a minor under eighteen who is to be employed in a mercantile establishment. See Sec. 31-23 re prohibition against employment of minors in certain occupations.

Minor employed in violation of this statute not barred from recovery under workmen's compensation act. 111 C. 229.

Sec. 10-194. Penalty. Any person, whether acting for himself or herself or as agent for another, who employs any minor under the age of eighteen years at any occupation described in subsection (a) of section 10-193 without having obtained a certificate as provided therein shall be fined not more than one hundred dollars.

(1949 Rev., S. 1455; P.A. 77-614, S. 302, 610; P.A. 78-218, S. 123; P.A. 85-308, S. 2, 3; P.A. 86-333, S. 9, 32.)

History: P.A. 77-614 substituted commissioner of education for secretary of the state board of education, effective January 1, 1979; P.A. 78-218 included feminine personal pronoun in reference to persons acting "for himself or herself or as agent for another"; P.A. 85-308 deleted internal reference to obsolete provision in Sec. 10-193; P.A. 86-333 deleted fines for failing to have, keep on file, or show upon request a leaving certificate when a child under sixteen years of age is employed and for employing such a child who does not have such a certificate.

Sec. 10-195. Evidence of age. Upon the trial of any person who has wilfully employed or has had in his or her employment or under his or her charge any child in violation of the provisions of this chapter and of any parent or guardian who has permitted any such child to be so employed, a certificate of the age of such child, made as provided in section 10-193, shall be conclusive evidence of his or her age. (1949 Rev., S. 1456; P.A. 78-218, S. 124; P.A. 86-333, S. 10, 32.)

History: P.A. 78-218 amended section to include feminine personal pronouns; P.A. 86-333 deleted reference to Sec. 10-189 repealed elsewhere in that public act.

Sec. 10-197. Penalty for employment of child under fourteen. Any person who employs a child under fourteen years of age during the hours while the school which such child should attend is in session, and any person who authorizes or permits on premises under his or her control any such child to be so employed, shall be fined not more than twenty dollars for each week in which such child is so employed.

(1949 Rev., S. 1458; P.A. 78-218, S. 125.)

History: P.A. 78-218 amended section to include feminine personal pronoun.

Sec. 10-198. False statement as to age. Any parent or other person having control of a child, who makes any false statement concerning the age of such child with intent to deceive any registrar of vital statistics or the teacher of any school, or instructs a child to make any such false statement, shall be fined not more than twenty dollars.

(1949 Rev., S. 1459.)

TITLE 22

Selected Agriculture Statutes Regarding the Employment of Minors

AGRICULTURE

Sec. 22-13. Employment of minors in agriculture. No minor under fourteen years of age shall be employed or be permitted to work in agriculture. No minor fourteen or fifteen years of age shall be employed in any agricultural occupation for more than six days a week, or for more than eight hours in any day or forty-eight hours in any week. If transportation is furnished to the farm or other place of employment, for any minor covered in sections 22-13 to 22-17, inclusive, return transportation to his home or pickup point shall be available at the close of each work day. Not less than thirty minutes shall be allowed for the meal period.

(1949 Rev., S. 7374.)

Sec. 22-14. Birth certificate or agricultural work permit required. No minor under sixteen years of age shall be employed or permitted to work, when school is not in session, in any agricultural occupation unless the employer of such minor has received a birth certificate, an agricultural work permit issued by the state Department of Education or other legal proof of age. Each employer shall retain in his possession, and make available to the commissioner or his agent for inspection, each such legal proof of age, until the termination of the employment of the minor therein named. At the termination of employment the employer shall return to each minor upon request such legal proof of age.

(1949 Rev., S. 7375.)

Sec. 22-15. Administration. Regulations. Inspection. The Labor Commissioner shall have charge of the administration of sections 22-13 to 22-17, inclusive. The commissioner shall establish regulations and standards for the administration of said sections necessary to the health and welfare of the youth employed in agriculture. The commissioner may make such inspections as he deems necessary or desirable, under said sections, in order to ascertain that the provisions are observed.

(1949 Rev., S. 7376; 1959, P.A. 637, S. 2; 1961, P.A. 67; 1971, P.A. 872, S. 446, 448; P.A. 77-614, S. 477, 610.)

History: 1959 act replaced commissioner of agriculture with commissioner of agriculture, conservation and natural resources; 1961 act dropped "conservation" from commissioner's title; 1971 act replaced commissioner of agriculture and natural resources with commissioner of agriculture; P.A. 77-614 transferred administration of Secs. 22-13 to 22-17 from agriculture commissioner to labor commissioner, effective January 1, 1979.

Sec. 22-16. Employer of more than fifteen affected. The provisions of sections 22-13 to 22-17, inclusive, shall apply during any calendar week to any employer whose average number of employees during that week is more than fifteen. Said provisions shall not apply to work performed for an employer engaged in agriculture by members of his immediate family.

(1949 Rev., S. 7377.)

Sec. 22-17. Penalty. Any person, including a parent or guardian, whether acting for himself or as agent for another, who employs or authorizes or permits to be employed any minor in violation of sections 22-13 to 22-16, inclusive, shall be fined, for a first violation, not more than fifty dollars and, for each subsequent violation, not more than one hundred dollars.

(1949 Rev., S. 7378.)

TITLE 30

LIQUOR STATUTES AFFECTING THE EMPLOYMENT OF MINORS

Sec. 30-81. Unsuitable persons prohibited from having financial interest in permit businesses. Employment of minors restricted. No person who is, by statute or regulation, declared to be an unsuitable person to hold a permit to sell alcoholic liquor shall be allowed to have a financial interest in any such permit business. Except as provided in section 30-90a, no minor shall be employed in any premises operating under a tavern permit in any capacity or in handling any alcoholic liquor upon, in delivering any alcoholic liquor to, or in carrying or conveying any alcoholic liquor from, any permit premises. (1949 Rev., S. 4288; 1971, P.A. 137; P.A. 75-642, S. 1; P.A. 81-367, S. 7, 9; P.A. 82-68, S. 2, 11; P.A. 93-139, S. 64.)

History: 1971 act deleted provision which had prohibited employment of women in taverns unless they are wives or daughters of proprietors; P.A. 75-642 deleted provision which had prohibited persons declared to be unsuitable as permit holder from being employed in drawing or preparing alcoholic liquor at any bar and deleted exception re electorship requirement in Sec. 30-45(3) as condition of employment in force unless employee is an elector in another state; P.A. 81-367 changed exception for package store beer permit to exception for grocery store beer permit as of May 29, 1981; P.A. 82-68 added an exception to the prohibition against employment of minors in a tavern and eliminated the exception for establishments operating under a grocery store beer permit; P.A. 93-139 made technical changes.

See Secs. 30-45, 30-46 and 30-47 re mandatory and discretionary refusal of permits, respectively.

Statute did not prohibit employment of minor in package store. 123 C. 36. Meaning of the word "employ" is not limited to services rendered for wages. 128 C. 653. Regulation of commission held a "declaration" that an employee was "unsuitable." 131 C. 700. See note to Sec. 30-45. Cited. 150 C. 425. This statute should be strictly construed since it is in derogation of one's right to employ. 4 CS 60. Former statute held in direct conflict with U. S. treaty with Italy. Id., 343. Commission must establish violation. Id., 350. Cited. 10 CS 122. First sentence construed. Id., 489. Statute addressed to employers and not to employees and a regulation requiring all persons intending to sell liquor to obtain a certificate of approval was an attempt to legislate rather than regulate and is not sanctioned by this section. Id. Mere revocation of employee's tavern permit constituted a declaration of unsuitability within the intentment of this section. 12 CS 429.

Sec. 30-90a. Employment of minors. Permits held by, and financial interests of Sec. 30-90a. Employment of minors. Permits held by, and financial interests of, persons over eighteen on July 1, 1982, not affected. Any person over age eighteen may be employed by an employer holding a permit issued under this chapter except that any person fifteen years of age or older may be so employed by such an employer on premises operating under a grocery store beer permit. A minor performing paid or volunteer services of an emergency nature shall be deemed to be an employee subject to the provisions of this section.

(P.A. 82-68, S. 9, 11; P.A. 88-364, S. 89, 123; P.A. 93-139, S. 67.)

History: P.A. 88-364 reduced the permitted age for persons to work on premises operating under a grocery store beer permit from over age sixteen to fifteen years of age or older; P.A. 93-139 deleted a provision of permits held by, and financial interests of, persons over eighteen on July 1, 1982.

TITLE 31
Selected Labor Statutes
Regarding the Employment of Minors

CHAPTER 557*

EMPLOYMENT REGULATION

Function of commissioner of labor with respect to this chapter. 129 C. 345.

Temporary injunctions would not be granted to restrain the enforcement of the penal provisions even if the enforcement of this chapter would be accompanied by injury to the plaintiff's property. 9 CS 116.

PART I
HOURS OF LABOR

Sec. 31-12. Hours of labor of minor, elderly and handicapped persons in manufacturing or mechanical establishments. (a) None of the following persons under the conditions hereinafter described shall be employed in any manufacturing or mechanical establishment more than nine hours in any day or forty-eight hours in any calendar week: (1) Persons under the age of eighteen years who are not enrolled in and have not graduated from a secondary educational institution; (2) persons sixty-six years of age or older, except with their consent; (3) handicapped persons, so designated by medical or governmental authority, except with their consent and after certification by a physician that the extended hours of work will not be injurious to their health; (4) disabled veterans, as defined under state or federal law, except with their consent and after certification by a physician that the extended hours of work will not be injurious to their health. (b) If the Labor Commissioner finds, upon application of an employer, that an emergency exists or that seasonal or peak demand places an unusual and temporary burden upon any manufacturing or mechanical establishment, any such person may be employed in such establishment not more than ten hours in any day nor more than fifty- five hours in any calendar week, but the total number of weeks of any such employment in any twelve consecutive months shall not exceed twelve. (c) With respect to any group, category or class of employees for which a work week of less than five days has been established or agreed upon, the employer shall adhere to the applicable weekly limitation period herein prescribed but may extend the number of hours per day for each day of the shortened work week provided the number of hours shall be the same for each day of the work week. (d) In the event of war or other national emergency, the commissioner after investigation may, with the approval of the Governor, extend the number of weeks of any such employment if such extension is necessary to meet scheduled production of war or critical material. (e) No person under eighteen years of age shall be employed in any manufacturing or mechanical establishment more than (1) six hours in any regularly scheduled school day unless the regularly scheduled school day immediately precedes a nonschool day or eight hours in any other day, and (2) thirty-two hours in any calendar week during which the school in which such person is enrolled is in session, or forty-eight hours in any calendar week during which the school in which such person is enrolled is not in session. Notwithstanding any provision of this section, the number of hours such person participates in a work experience that is part of an approved educational plan, cooperative program or school-to-work program shall not be counted against the daily or weekly limits set forth in this section.

(1949 Rev., S. 7343; September, 1950, S. 3009d; 1963, P.A. 158; 1969, P.A. 802, S. 1; P.A. 73-65, S. 1, 2; P.A. 85- 28, S. 1; P.A. 98-210, S. 1.)

History: 1963 act deleted provision requiring employers' to post required work hours for minors and women and prohibiting employment of such persons for longer on any day than posted required hours and added provision excluding permanent salaried employees in executive, administrative or professional positions from section provisions; 1969 act changed maximum number of weeks in a year when ten-hour days or fifty-five hour weeks may be required from eight to twelve; P.A. 73-65 deleted women from applicability of provisions and extended applicability to cover persons sixty-six and older, handicapped persons and disabled veterans and added provision re shortened work weeks; P.A. 85-28 exempted persons who have graduated from a secondary educational institution from the employment restrictions placed on minors; P.A. 98-210 clarified that applicability is to persons under eighteen years of age who are not enrolled in and have not graduated from a secondary educational institution, reduced the number of hours a student under eighteen years of age may work in a manufacturing or mechanical establishment while school is in session, created an exemption for graduates under eighteen years of age, and added alphabetic Subsec. indicators and numeric Subdiv. indicators.

Cited. 203 C. 34, 36.

Sec. 31-13. Hours of labor of minors, elderly and handicapped persons in mercantile establishments. (a) None of the following persons under the conditions hereinafter described shall be employed in any mercantile establishment more than eight hours in any one day, or more than six days in any one calendar week or more than forty-eight hours in any one calendar week: (1) Persons under the age of eighteen years who are not enrolled in and have not graduated from a secondary educational institution; (2) persons sixty-six years of age or older, except with their consent; (3) handicapped persons, so designated by medical or governmental authority, except with their consent and after certification by a physician that the extended hours of work will not be injurious to their health; (4) disabled veterans, as defined under state or federal law, except with their consent and after certification by a physician that the extended hours of work will not be injurious to their health; but any such person may be permitted to work in any such establishment one day in any calendar week for not more than ten hours, for the purpose of making one shorter day during such week, and any employer who, during any year, gives not fewer than seven holidays with pay shall be exempt from the foregoing provisions hereof during the period from the eighteenth to the twenty-fifth day of December of such year.

(b) If the Labor Commissioner finds, upon application of an employer, that an emergency exists or that seasonal or peak demand places an unusual and temporary burden upon any mercantile establishment, any such person may be employed in such establishment not more than ten hours in any day nor more than fifty-two hours in any calendar week, but the total number of weeks of any such employment in any twelve months shall not exceed eight.

(c) No person under eighteen years of age shall be employed in any mercantile establishment more than (1) six hours in any regularly scheduled school day unless the regularly scheduled school day immediately precedes a nonschool day or eight hours in any other day, and (2) thirty-two hours in any calendar week during which the school in which such person is enrolled is in session, or forty-eight hours in any other calendar week during which the school in which such person is enrolled is not in session. Notwithstanding any provision of this section, the number of hours such person participates in a work experience that is part of an approved educational plan, cooperative program or school-to-work program shall not be counted against the daily or weekly limits set forth in this section.

(d) Each employer in any such establishment shall post in a conspicuous place in each room where such persons are employed a notice, the form of which shall be furnished by the Labor Commissioner, stating specifically the hours of work required of such persons on each day of the week, and the employment of any such persons for a longer time than so stated shall be a violation of this section.

(1949 Rev., S. 7344; 1953, S. 3010d; 1969, P.A. 802, S. 2; P.A. 73-83, S. 1, 3; P.A. 85-28, S. 2; P.A. 98-210, S. 2.)

History: 1969 act increased period during which ten-hour days and fifty-two hour weeks are permissible from four to eight weeks during any year; P.A. 73-83 deleted women from applicability of provisions and extended applicability to cover persons sixty-six or older, handicapped persons and disabled veterans; P.A. 85-28 exempted persons who have graduated from a secondary educational institution from the employment restrictions placed on minors; P.A. 98-210 clarified that applicability is to persons under eighteen years of age who are not enrolled in and have not graduated from a secondary educational institution, reduced the number of hours a student under eighteen years of age may work in a mercantile establishment while school is in session, created an exemption for graduates under eighteen years of age, and added alphabetic Subsec. indicators and numeric Subdiv. indicators.

Cited. 129 C. 339.

Nominal president deemed an employee. 10 CS 171.

Sec. 31-13a. Employer to furnish record of hours worked, wages earned and deductions. With each wage payment each employer shall furnish to each employee in writing a record of hours worked, the gross earnings showing straight time and overtime as separate entries, itemized deductions and net earnings, except that the furnishing of a record of hours worked and the separation of straight time and overtime earnings shall not apply in the case of any employee with respect to whom the employer is specifically exempt from the keeping of time records and the payment of overtime under the Connecticut Minimum Wage Act or the Fair Labor Standards Act.

(1959, P.A. 338; P.A. 80-79.)

History: P.A. 80-79 required that employees be furnished records of earnings "showing straight time and overtime as separate entries", specified that provisions are inapplicable where employer is exempt from paying overtime and deleted provisions which had excluded salaried employees from applicability.

Sec. 31-13b. Visible clock required as part of time card system. On and after January 1, 1977, no employer, private, municipal or state, shall use a time card system, recording clock or other device intended to record the work time of an employee unless such system, clock or device has incorporated within it a clock which is synchronized with such system, clock or device and which is displayed so as to be easily visible.

(P.A. 76-87.)

Sec. 31-14. Night work of minors regulated. (a) No person under eighteen years of age shall be employed in any manufacturing, mechanical or mercantile establishment between the hours of ten o'clock in the evening and six o'clock in the morning, except that such persons may be employed in any manufacturing, mechanical or mercantile establishment until eleven o'clock in the evening or any supermarket until twelve o'clock midnight on any night other than a night preceding a regularly scheduled school day. No such person may be discharged or discriminated against in any manner for refusing to work later than ten o'clock in the evening.

(b) In the event of war or other serious emergency, the Governor may suspend the limitations upon evening or night work contained in this section as to any industries or occupations as he may find such emergency demands.

(c) The provisions of this section shall not apply to persons under eighteen years of age who have graduated from a secondary educational institution.

(d) For purposes of this section, "supermarket" means any retail food store occupying a total retail sales area of more than three thousand five hundred square feet.

(1949 Rev., S. 7345; P.A. 84-501, S. 1; P.A. 85-28, S. 3; P.A. 98-210, S. 3.)

History: P.A. 84-501 provided that minors may be employed in supermarkets until midnight on nights not preceding a school day, but prohibited discrimination for refusing to work the extra hours, and defined "supermarket"; P.A. 85-28 exempted persons who have graduated from a secondary educational institution from the employment restrictions placed on minors; P.A. 98-210 established eleven p.m. limit for employment of persons under eighteen years of age on days preceding nonschool days in manufacturing, mechanical and mercantile establishments, replaced the term "minor" with the term "person" throughout section, and added alphabetic Subsec. indicators and numeric Subdiv. indicators.

Cited. 126 C. 682.

Sec. 31-15. Penalty. (a) Any person who wilfully employs, or has in his employment or under his charge, any person in violation of section 31-14 and who permits any such person to be so employed shall be fined not more than fifty dollars for the first offense and be fined not more than two hundred dollars or imprisoned not more than thirty days or both for any subsequent offense.

(b) Any parent or guardian who permits any minor to be employed in violation of section 31-12, 31-13 or 31-14 shall be fined not more than fifty dollars for each offense.

(c) A certificate of the age of a person made as provided in section 10-193 shall be conclusive evidence of his age upon the trial of any person other than the parent or guardian for violation of any provision of said section 31-12, 31-13 or 31-14.

(d) Nothing in this chapter shall affect the provisions of section 10-184.

(1949 Rev., S. 7346; P.A. 86-333, S. 25, 32; P.A. 97-263, S. 7; P.A. 98-210, S. 4.)

History: P.A. 86-333 deleted reference to repealed Sec. 10-189; P.A. 97-263 doubled the amount of all fines; P.A. 98-210 replaced the term "minor" with the term "person" throughout section and added alphabetic Subsec. indicators and numeric Subdiv. indicators.

Sec. 31-16. Night work in messenger service. No person under the age of eighteen years shall be employed by any telegraph or messenger company, in cities having a population of twenty thousand or over, to distribute, transmit or deliver goods or messages between the hours of ten o'clock at night and five o'clock in the morning. The manager of the office of any corporation who violates any provision of this section shall be fined not more than fifty dollars for each day of such employment. The provisions of this section shall not apply to persons under the age of eighteen who have graduated from a secondary educational institution.

(1949 Rev., S. 7347; P.A. 85-28, S. 4; P.A. 97-263, S. 8.)

History: P.A. 85-28 exempted persons who have graduated from a secondary educational institution from the employment restrictions placed on minors; P.A. 97-263 increased amount of fine from twenty to fifty dollars.

TITLE 31

Selected Labor Statutes Regarding the Employment of Minors

PART II

PROTECTION OF EMPLOYEES

Sec. 31-23. Employment of minors prohibited in certain occupations. Exceptions. (a) No minor under sixteen years of age shall be employed or permitted to work in any manufacturing, mechanical, mercantile or theatrical industry, restaurant or public dining room, or in any bowling alley, shoe-shining establishment or barber shop, provided the Labor Commissioner may authorize such employment of any minor between the ages of fourteen and sixteen who is enrolled in (1) a public school in a work-study program as defined and approved by the Commissioner of Education and the Labor Commissioner or in a program established pursuant to section 10-20a or (2) a summer work-recreation program sponsored by a town, city or borough or by a human resources development agency which has been approved by the Labor Commissioner, or both, and provided the prohibitions of this section shall not apply to any minor over the age of fourteen who is under vocational probation pursuant to an order of the Superior Court as provided in section 46b-140 or to any minor over the age of fourteen who has been placed on vocational parole by the Commissioner of Children and Families.

(b) (1) Notwithstanding the provisions of subsection (a) of this section, a minor who has reached the age of fourteen may be employed or permitted to work as a caddie or in a pro shop at any municipal or private golf course, and a minor who has reached the age of fifteen may be employed or permitted to work in any mercantile establishment, from September 30, 2002, to September 30, 2007, inclusive, as a bagger, cashier or stock clerk, provided such employment shall be (A) limited to periods of school vacation during which school is not in session for five consecutive days or more except that such minor employed in a retail food store may work on any Saturday during the year; (B) for not more than forty hours in any week; (C) for not more than eight hours in any day; and (D) between the hours of seven o'clock in the morning and seven o'clock in the evening, except that from July first to the first Monday in September in any year, any such minor may be employed until nine o'clock in the evening. (2) (A) Each person who employs a fourteen-year-old minor as a caddie or in a pro shop at any municipal or private golf course pursuant to this section shall obtain a certificate stating that such minor is fourteen years of age or older, as provided in section 10-193, as amended by this act, and (B) each person who employs a fifteen-year-old minor in any mercantile establishment pursuant to this subsection shall obtain a certificate stating that such minor is fifteen years of age or older, as provided in section 10-193, as amended by this act. Such certificate shall be kept on file at the place of employment and shall be available at all times during business hours to the inspectors of the Labor Department. (3) The Labor Commissioner may adopt regulations, in accordance with the provisions of chapter 54, as the commissioner deems necessary to implement the provisions of this subsection.

(c) No minor under the age of eighteen years shall be employed or permitted to work in any occupation which has been or shall be pronounced hazardous to health by the Department of Public Health or pronounced hazardous in other respects by the Labor Department. This section shall not apply to the employment or enrollment of minors sixteen years of age and over as apprentices in bona fide apprenticeship courses in manufacturing or mechanical establishments, vocational schools or public schools, or to the employment of such minors who have graduated from a public or private secondary or vocational school, in any manufacturing or mechanical establishment or to the enrollment of such minors in a cooperative work-study program approved by the Commissioner of Education and the Labor Commissioner or in a program established pursuant to section 10-20a. No provision of this section shall apply to agricultural employment, domestic service, street trades or the distribution of newspapers. For purposes of this subsection, the term "cooperative work-study program" means a program of vocational education, approved by the Commissioner of Education and the Labor Commissioner, for persons who, through a cooperative arrangement between the school and employers, receive instruction, including required academic courses and related vocational instruction by alternation of study in school with a job in any occupational field, provided these two experiences are planned and supervised by the school and employers so that each contributes to the student's education and to his employability. Work periods and school attendance may be on alternate half days, full days, weeks or other periods of

time in fulfilling the cooperative work-study program.

(d) Each person who employs a minor under the age of eighteen years shall obtain a certificate stating the age of such minor as provided in section 10-193. Such certificates shall be kept on file at the place of employment and shall be available at all times during business hours to the inspectors of the Labor Department.

(1949 Rev., S. 7352; February, 1965, P.A. 186, S. 1; 1969, P.A. 203, S. 1; 498, S. 2; P.A. 73-49, S. 2, 3; P.A. 75-16; 75-282; P.A. 76-436, S. 617, 681; P.A. 77-614, S. 323, 610; P.A. 86-333, S. 26, 32; P.A. 87-195, S. 1; P.A. 88-360, S. 52, 53, 63; May Sp. Sess. P.A. 92-16, S. 85, 89; P.A. 93-91, S. 1, 2; 93-381, S. 9, 39; P.A. 94-116, S. 27, 28; P.A. 95-257, S. 12, 21, 58; P.A. 97-38; 97-263, S. 10; P.A. 00-144, S. 3; P.A. 02-44, S. 1.)

History: 1965 act authorized employment of minor between fourteen and sixteen years old who is enrolled in school in a work-study program in Subsec. (a); 1969 acts authorized employment of minors between fourteen and sixteen in summer work-recreation programs and specified that prohibitions of section do not apply to minors over fourteen years old who are under vocational probation by order of juvenile court in Subsec. (a); P.A. 73-49 specified that provisions do not apply to minors over fourteen years old who are placed on vocational probation by children and youth services commissioner in Subsec. (a); P.A. 75-16 defined "cooperative work-study program" in Subsec. (b) and specified that provisions do not apply to minors enrolled in such programs approved by state board of education and labor commissioner; P.A. 75-282 specified in Subsec. (b) that provisions do not apply to minors who have graduated from secondary or vocational schools who are employed in a manufacturing or mechanical establishment; P.A. 76-436 replaced juvenile court with superior court in Subsec. (a), effective July 1, 1978; P.A. 77-614 replaced department of health with department of health services, effective January 1, 1979; P.A. 86-333 deleted reference to repealed Sec. 10-189 in Subsec. (c); P.A. 87-195 inserted new Subsec. (b) permitting minors who are fifteen years of age to work in any mercantile establishment as baggers, cashiers or stock clerks until September 30, 1992, with certain restrictions on the hours of work and relettered prior Subsecs. (b) to (d), inclusive, accordingly; P.A. 88-360 in Subdiv. (2) of Subsec. (b) provided that the certificate be obtained pursuant to Sec. 10-193, i.e., from the superintendent of schools, rather than from the state board of education and in Subsec. (d) deleted the provision specifying that the certificate be obtained from the state board of education; May Sp. Sess. P.A. 92-16 amended Subsec. (b) by limiting employment of minors fifteen years of age to school vacations of five consecutive days or longer and deleting provision limiting employment of such minors to not more than two consecutive days without a day off; P.A. 93-91 substituted commissioner and department of children and families for commissioner and department of children and youth services, effective July 1, 1993; P.A. 93-381 replaced department of health services with department of public health and addiction services, effective July 1, 1993; P.A. 94-116 replaced references to "state board" with "commissioner" and added a provision allowing minors to participate in the Connecticut career certificate program under Sec. 10-20a, effective July 1, 1994; P.A. 95-257 replaced Commissioner and Department of Public Health and Addiction Services with Commissioner and Department of Public Health, effective July 1, 1995; P.A. 97-38 amended Subsec. (b) to extend period a minor may work in any mercantile establishment to September 30, 2002; P.A. 97-263 amended Subsec. (e) to increase amount of fine from one hundred to two hundred dollars; P.A. 00-144 amended Subsec. (b) by adding provision permitting minor employed in a retail food store to work on any Saturday; P.A. 02-44 amended Subsec. (b) to extend period during which a minor may work in a mercantile establishment to September 30, 2007, and make technical changes.

See Secs. 22-13 to 22-17, inclusive, re employment of minors in agriculture.

See Sec. 46b-140(g) re employment of certain children for whom continued school attendance is deemed to be of no benefit.

Child employed in violation of this section is not thereby precluded from compensation for injury otherwise compensable. 95 C. 164. Former statute cited. 111 C. 232. Violation of statute as actionable cause of death. 129 C. 439. Although employed in violation of statute, plaintiff within workmen's compensation act. 131 C. 157. Subsec. (b):Cited. 203 C. 34—38. Cited. 221 C. 465, 467. Subsec. (c):Cited. 221 C. 465, 467. Subsec. (d):Cited. 221 C. 465, 467.

Sec. 31-23-1. Regulations of State Agencies. Employment of Minors.

The employment of minors under 18 years of age in the following industries which are declared hazardous by the Connecticut State Labor Department, is prohibited, unless an investigation by a representative of the Division of Factory Inspection discloses that either a specific operation of a particular occupation or the conditions under which a particular occupation is performed are not unduly hazardous and the employer has received written approval of such specific operation of employment conditions from the State Labor Department.

*This job not prohibited for minors.

Automotive Maintenance and Repair

- *Island Work
- *Changing Passenger Car Tires (No Truck Tires)(No Working Under Cars Or In Pits)
- *Use of Air Hand Tools
- *Properly Grounded Electrical Hand Tools (No Drill Over 1/4" Diameter)
- *General Cleaning Including Yard Work (No Riding Reel Mowers)
- *Brush Painting and Window Cleaning using not more than 6 foot stepladder
- *Preparing Cars for Spray Painting (No Spray Painting) (No Welding) Only Masking and Sanding
- *Cleaning and Washing of Motor Vehicles (No Flammable Liquids)
- *Driving Limited up to 3/4 Ton Truck
- *Clerical Work
- *Shipping and Stock Clerk
- *Bench Work

Beverage Bottling

Brick Manufacturing (Excluding Hand Turning)

Cement Manufacturing

Chemicals Manufacturing

Clay Products and Tile

Coke and Tar Products Manufacturing

Concrete Products and Cinder Block Manufacturing

Construction

- *Landscaping (Planting Shrubs, Small Trees, etc.)
- *General Yardwork (No Riding Reel Mowers)
- *Driving Limited up to 3/4 Ton Truck (No Fork Lift Trucks) (No Construction Equipment) (Riding in Cabs of Trucks Only)
- *Properly Grounded Electrical and Tools (No Saws) (No Drill Over 1/4 inch Diameter)
- *Brush Painting and Window Cleaning using not more than a 6-foot stepladder
- *General Cleaning
- *Changing of Passenger Car Tires (No Truck Tires)
- *Use of Air Hand Tools
- *Cleaning and Washing of Cars and Trucks (No Flammable Liquids)
- *Clerical Work
- *Shipping and Stock Clerk

Dry Cleaning, Machine Operations

Experimental Testing or Control Laboratories

Explosives and Fireworks Manufacturing

Fertilizer Manufacturing

Food Products -- Processing

Grain and Feed Processing

Ice Manufacturing

Laundering, Machinery Operation

Leather Products Manufacturing

Logging and Lumber Manufacturing and Operations in any Saw Mill, Shingle Mill and Cooperage Stock Mill

Meat Products Manufacturing

Mining (Underground and Surface)
Paint and Varnish Manufacturing
Paper and Paperboard Manufacturing
Paper Products Manufacturing
Pharmaceuticals Manufacturing
Plastic and Plastic Products Manufacture
Power Driven Woodworking Machines
Printing
Rayon Manufacturing
Rubber Products Manufacturing
Scrap Metal Salvaging
Sewing Machine Operations using needles over 1/16 inch Diameter
Smelting, Rolling, Casting and Processing of Metals
Stone Cutting and Processing
Storage Battery Manufacturing
Synthetic Rubber Manufacturing
Tanning
Textile Machinery Operation
Tire Recapping, Vulcanizing and Manufacturing
Wrecking and Demolition

The provisions of this section shall not apply to work study programs, apprentices in bona fide apprenticeship courses, office workers and those not directly a part of, or in contact with production operations unless the occupations, as such, have been declared hazardous.

Light bench work or assembly, where the operations performed do not require the use of power driven tools, (except screw drivers, wrenches, etc.) shall be considered nonhazardous provided they do not involve the use of or exposure to corrosives, flammables, toxic materials or electrical current in excess of 110 volts and 15 amperes.

The following occupations, in all industries, are declared hazardous and such employment of minors under 18 years of age is prohibited, unless an investigation by a representative of the Division of Factory Inspection discloses that the conditions under which the occupation is performed are not unduly hazardous and the employer has received written approval of such employment conditions from the State Labor Department.

Abrasive Wheel Operation
Bakery Machine Operations
Baler Operator or Helper
Boiler or Engine Room Occupation
Brazing
Centrifugal Machine Operators (Including Whizzers and Extractors)
Cranes, Derricks, Hoists, Occupations involving the use of
Electrical Circuits, Tools or Equipment, involving the use of (Excluding double insulated tools)
Electrical Equipment, Installation, Maintenance and Repair
Electrical Testing Elevator Operation (Except an Unattended Automatic Passenger Elevator)
Repair or Maintenance of Power Driven Hoisting Apparatus.
Flame Cutting
Flammable, Toxic or Corrosive Materials, Exposure to
Fork Lift or Tiering Truck Operator
Glazing and Glass Cutting
Hair and Fur Processing
Heat Treater or Helper
Ladder, Occupation Involving Climbing or Working on
Metal Working Machinery, Fixed or Portable, Operation of
Oiler Machinery
Power Driven Machinery, Use of Portable
Powder Actuated Hand Tools
Presses (Foot, Hand or Power) Operation of Air, Oil, Water, Electric, Belt Driven or Spring Actuated Metal, Forming
Punching and Shearing Machines
Press Brakes (Excluding Hand Brakes under 24 inches)
Pressure Testing
Radioactive Substance and Ionization Radiation, Exposure to
Riveting, Grommeting or Eyeletting Operation
Rolls, Operation of Power Driven
Sand Blast Operator
Shear, Operator (Hand, Foot, Power)
Soldering (Exception by Investigation)
Spray Painting or Dipping
Stranding Machine Operator
Tumbler Operator
Vehicle Driver or Helper (Excluding 3/4 Ton or less)
Welding
Woodworking Machinery, Fixed or Portable, Operation or Helper

The provisions of this section shall not apply to work study programs, apprentices in bona fide apprenticeship courses, office workers and those not directly a part of, or in contact with production operations.
(Effective November 15, 1976)

Sec. 31-24. Hazardous employment of children forbidden. Penalty. Except in state vocational schools or in public schools teaching manual training, no child under sixteen years of age shall be employed or permitted to work in adjusting or assisting in adjusting any belt upon any machine, or in oiling or assisting in oiling, wiping or cleaning machinery, while power is attached, or in preparing any composition in which dangerous acids are used, or in soldering, or in the manufacture or packing of paints, dry colors or red or white lead, or in the manufacture, packing or storing of gun or blasting powder, dynamite, nitroglycerine compounds, safety fuses in the raw or unvarnished state, electric fuses for blasting purposes or any other explosive, or in the manufacture or use of any dangerous or poisonous gas or dye, or composition of lye in which the quantity thereof is injurious to health, or upon any scaffolding, or in any heavy work in any building trade or in any tunnel, mine or quarry, or in operating or assisting to operate any emery, stone or buffing wheel; and, except as otherwise provided in subsection (b) of section 31-23, no child under sixteen years of age shall be employed or permitted to work in any capacity requiring such child to stand continuously. (1949 Rev., S. 7353; P.A. 74-185, S. 3; P.A. 87-195, S. 2; P.A. 97-263, S. 11.) History: P.A. 74-185 prohibited employment of all children under sixteen, regardless of sex, in capacity which requires continuous standing where previously prohibition applied to females only; P.A. 87-195 allowed children under sixteen years of age to work in jobs requiring them to stand continuously as provided in Sec. 31-23; P.A. 97-263 increased amount of fine from one hundred to two hundred dollars.
Cited. 243 C. 66.

Sec. 31-25. Operation of elevators by minors. No person under sixteen years of age shall be employed or permitted to have the care, custody, operation or management of an elevator; any person, partnership or corporation violating this provision shall be fined not more than fifty dollars for each offense. No person under eighteen years of age shall be employed or permitted to have the care, custody, management or operation of an elevator, either for freight or passengers, running at a speed of over two hundred feet per minute; any person, whether acting for himself or as agent for another, who authorizes or permits the employment of any person in violation of this provision shall be fined not more than two hundred dollars. (1949 Rev., S. 7354; P.A. 97-263, S. 12.) History: P.A. 97-263 doubled the amount of both fines.

Sec. 31-51b. Apprenticeship council. The Governor shall appoint twelve members to the Connecticut State Apprenticeship Council, each of whom shall have some association with apprentice training. Four shall be representative of Connecticut industry, with one representative each from the manufacturing, building, mechanical and service industries, provided at least one such member represents a business that operates without a collective bargaining agreement; four shall be Connecticut members of national labor organizations with apprentice training programs; four shall represent the public, one of whom shall be the Labor Commissioner. Members shall each serve a term which is coterminous with the term of the Governor, each member to hold office until a successor is appointed. Any vacancy in the membership of the council shall be filled by the Governor for the unexpired term. It shall meet on the call of the chairman, who shall be the Labor Commissioner. On or before August first of each year, the council shall prepare a report describing the activities of the council, this report to be included in the Labor Commissioner's report to the Governor. The members of the council shall not be compensated for their services, but the members, except the Labor Commissioner and any state employee, shall be reimbursed for necessary expenses incurred in the performance of their duties.

(1959, P.A. 390, S. 2; June Sp. Sess. P.A. 83-21; P.A. 85-580; P.A. 01-170, S. 5.)

History: June Sp. Sess. P.A. 83-21 increased the payments to members from twenty-five to forty dollars per day, and specifically excluded from receipt of such payments the deputy labor commissioner and state employees; P.A. 85-580 increased membership on the council from nine to twelve members, adding an additional member for each category and specifying the background of each industry representative, provided for terms which are coterminous with the governor, provided that the deputy labor commissioner shall be the council chairman, and provided for the reimbursement to the members of necessary expenses, replacing provisions for staggered terms, election of chairman and other officers by the council and for payment of forty dollars per day in lieu of expenses; P.A. 01-170 changed membership by replacing the Deputy Labor Commissioner with the Labor Commissioner and made technical changes.

History: 1963 act redefined "apprentice agreement" to include agreements meeting federal requirements for on-the-job training schedules; P.A. 78-325 redefined "apprenticeship agreement" to change minimum hours of work experience from four thousand to two thousand and to add "consistent with recognized requirements established by industry or joint labor-industry practice".

Sec. 31-51b. Apprenticeship council. The Governor shall appoint twelve members to the Connecticut State Apprenticeship Council, each of whom shall have some association with apprentice training. Four shall be representative of

Connecticut industry, with one representative each from the manufacturing, building, mechanical and service industries, provided at least one such member represents a business that operates without a collective bargaining agreement; four shall be Connecticut members of national labor organizations with apprentice training programs; four shall represent the public, one of whom shall be the Labor Commissioner. Members shall each serve a term which is coterminous with the term of the Governor, each member to hold office until a successor is appointed. Any vacancy in the membership of the council shall be filled by the Governor for the unexpired term. It shall meet on the call of the chairman, who shall be the Labor Commissioner. On or before August first of each year, the council shall prepare a report describing the activities of the council, this report to be included in the Labor Commissioner's report to the Governor. The members of the council shall not be compensated for their services, but the members, except the Labor Commissioner and any state employee, shall be reimbursed for necessary expenses incurred in the performance of their duties.

(1959, P.A. 390, S. 2; June Sp. Sess. P.A. 83-21; P.A. 85-580; P.A. 01-170, S. 5.)

History: June Sp. Sess. P.A. 83-21 increased the payments to members from twenty-five to forty dollars per day, and specifically excluded from receipt of such payments the deputy labor commissioner and state employees; P.A. 85-580 increased membership on the council from nine to twelve members, adding an additional member for each category and specifying the background of each industry representative, provided for terms which are coterminous with the governor, provided that the deputy labor commissioner shall be the council chairman, and provided for the reimbursement to the members of necessary expenses, replacing provisions for staggered terms, election of chairman and other officers by the council and for payment of forty dollars per day in lieu of expenses; P.A. 01-170 changed membership by replacing the Deputy Labor Commissioner with the Labor Commissioner and made technical changes.

Sec. 31-51c. Powers and duties of council. The council may adopt recommendations for minimum standards of apprenticeship and for related and supplementary instruction, encourage registration and approval of apprentice agreements and training programs, and issue certificates of completion upon the verification by employers or joint apprenticeship committees of the satisfactory completion of the term of apprenticeship. The council shall formulate policies for the effective administration of sections 31-51a to 31-51e, inclusive. Such policies by the council shall not invalidate any apprenticeship provision in any collective bargaining agreement between employers and employees. All apprentice programs adopted and registered with the council under said sections shall be on a voluntary basis and shall be installed for the purpose of developing skilled workers for the service trades and industries of Connecticut.

(1959, P.A. 390, S. 3.)

(1959, P.A. 390, S. 3.)

council, shall formulate work training standards which will ensure necessary safeguards for the welfare of apprentices and a full craft experience in any skill, in order to provide equal opportunities to all, without regard to their race, color, religion, sex, age or national origin, and to provide training, employment and upgrading opportunities for disadvantaged workers to acquire a comprehensive skilled work experience and to extend the application of such standards of skill training by inclusion thereof in apprenticeship agreements, and shall bring together representatives of management and labor for the development of training programs and terms of apprenticeship incidental thereto and cooperate with state and federal agencies similarly interested in furtherance of training requirements in keeping with established and new processes of Connecticut industries. The Labor Commissioner shall publish information relating to existing and proposed work standards of apprenticeship, hold area conferences throughout the state for the purpose of promoting interest in skilled trades training and appoint such advisory committees as may be deemed necessary to evaluate the skilled manpower requirements of Connecticut in order to cope with any new technological changes in industry.

(1959, P.A. 390, S. 4; 1969, P.A. 743, S. 1.)

History: 1969 act deleted reference to cooperative effort of representatives of industry, labor and education in formulation of standards, required that standards provide equal opportunities "to all, without regard to their race, color, religion, sex, age or national origin" and that they provide training, employment and upgrading opportunities for disadvantaged workers, and made publication of information re apprenticeship standards, holding of conferences, etc. mandatory rather than optional, substituting "shall" for "may".

Cited. 243 C. 66.

Sec. 31-51e. Program of apprentice training. To assist in the administration of sections 31-51a to 31-51d, inclusive, there shall continue to be maintained in the Labor Department a program of apprentice training. The Labor Commissioner is authorized to appoint, in accordance with the provisions of chapter 67, such personnel as may be necessary for effective administration of said sections.

(1959, P.A. 390, S. 5; P.A. 77-614, S. 480, 610.)

History: P.A. 77-614 referred to "program" of apprentice training rather than to "division" of apprentice training in the labor department, effective January 1, 1979.

TITLE 31
Selected Labor Statutes
Regarding the Employment of Minor

CHAPTER 558*

WAGES

*Function of commissioner of labor with respect to this chapter. 129 C. 345. Cited. 160 C. 133, 139.

PART I*

MINIMUM WAGES

Minimum wage law should receive liberal construction as regards beneficiaries so it may accomplish its purpose. 147 C. 277. Burden rests on employer to establish that his employees come within exemption. Id. Cited. 223 C. 573, 594.

Sec. 31-58. Definitions. As used in this part:

- (a) "Commissioner" means the Labor Commissioner;
- (b) "Wage board" means a board created as provided in section 31-61;
- (c) "Fair wage" means a wage fairly and reasonably commensurate with the value of a particular service or class of service rendered, and, in establishing a minimum fair wage for such service or class of service under this part, the commissioner and the wage board, without being bound by any technical rules of evidence or procedure, (1) may take into account all relevant circumstances affecting the value of the services rendered, including hours and conditions of employment affecting the health, safety and general well-being of the workers, and (2) may be guided by such considerations as would guide a court in a suit for the reasonable value of services rendered where services are rendered at the request of an employer without contract as to the amount of the wage to be paid and (3) may consider the wages, including overtime or premium rates, paid in the state for work of like or comparable character by employers who voluntarily maintain minimum fair wage standards;
- (d) "Department" means the Labor Department;
- (e) "Employer" means any owner or any person, partnership, corporation, limited liability company or association of persons acting directly as, or in behalf of, or in the interest of an employer in relation to employees, including the state and any political subdivision thereof;
- (f) "Employee" means any individual employed or permitted to work by an employer but shall not include any individual employed in camps or resorts which are open no more than six months of the year or in domestic service in or about a private home, except any individual in domestic service employment as defined in the regulations of the federal Fair Labor Standards Act, or an individual employed in a bona fide executive, administrative or professional capacity as defined in the regulations of the Labor Commissioner or an individual employed by the federal government, or any individual engaged in the activities of an educational, charitable, religious, scientific, historical, literary or nonprofit organization where the employer-employee relationship does not, in fact, exist or where the services rendered to such organizations are on a voluntary basis, or any individual employed as a head resident or resident assistant by a college or university, or any individual engaged in baby sitting, or an outside salesman as defined in the regulations of the federal Fair Labor Standards Act; or any individual employed by a nonprofit theater, provided such theater does not operate for more than seven months in any calendar year;
- (g) A resort is defined as an establishment under one management whose principal function it is to offer lodging by the day, week, month or season, or part thereof, to vacationers or those in search of recreation;
- (h) "Employ" means to employ or suffer to work;
- (i) "Wage" means compensation due to an employee by reason of his employment;
- (j) "Minimum fair wage" in any industry or occupation in this state means a wage of not less than six dollars and seventy cents per hour, and effective January 1, 2003, not less than six dollars and ninety cents per hour, and effective January 1, 2004, not less than seven dollars and ten cents per hour, or one-half of one per cent rounded to the nearest whole cent more than the highest federal minimum wage, whichever is greater, except as may otherwise be established in accordance with the

provisions of this part. All wage orders in effect on October 1, 1971, wherein a lower minimum fair wage has been established, are amended to provide for the payment of the minimum fair wage herein established except as hereinafter provided. Whenever the highest federal minimum wage is increased, the minimum fair wage established under this part shall be increased to the amount of said federal minimum wage plus one-half of one per cent more than said federal rate, rounded to the nearest whole cent, effective on the same date as the increase in the highest federal minimum wage, and shall apply to all wage orders and administrative regulations then in force. The rates for learners, beginners, and persons under the age of eighteen years shall be not less than eighty-five per cent of the minimum fair wage for the first two hundred hours of such employment and equal to the minimum fair wage thereafter, except institutional training programs specifically exempted by the commissioner.

(1949 Rev., S. 3786; 1951, S. 2025d; 1957, P.A. 435, S. 1, 2; 1959, P.A. 683, S. 1; 1961, P.A. 519, S. 1, 2; 1963, P.A. 357; 1967, P.A. 484, S. 1; 492, S. 1; 565, S. 1; 1969, P.A. 535; 1971, P.A. 45, S. 1; 85, S. 1; 615, S. 1, 2; 616, S. 1; 1972, P.A. 116, S. 1; P.A. 73-82, S. 3, 4; P.A. 77-154; 77-329; P.A. 78-358, S. 3, 6; P.A. 79-41; P.A. 83-537, S. 1; P.A. 87-366, S. 1; P.A. 93-144, S. 2; P.A. 95-79, S. 114, 189; P.A. 98-44; P.A. 00-144, S. 1; P.A. 02-33, S. 1.)

History: 1959 act added "owner" and "partnership" to Subsec. (e) and the proviso and authority to define executive, etc., capacity by regulation to Subsec. (f); 1961 act added to Subsec. (f) the clause re employees of industry and increased the minimum wage rate provided for by Subsec. (j); 1963 act included beginners in minimum wage provisions of Subsec. (j), specified that ninety-five cent minimum wage for learners, beginners and persons under eighteen applies for the first five hundred hours of employment, set rate at one dollar and twenty-five cents thereafter and exempted institutional training programs designated by commissioner from pay provision; 1967 acts redefined "employee" to delete reference to individuals exempt under specified Subdivs. of Fair Labor Standards Act and individuals employed in industries for which wage orders have been established as employees, redefined "minimum fair wage", revising wage amounts and reducing hours at which beginners, etc. are paid a lesser amount from five hundred to two hundred; 1969 act redefined "minimum fair wage" to add provisions pegging increases to increases in federal minimum wage; 1971 acts redefined "employee" to delete exclusion for employees of state, municipalities or political subdivisions and redefined "minimum fair wage" to increase wage amounts, to delete provision re formula for increase in gratuities allowance for restaurant employees and to add provision re fair wage for agricultural employees; 1972 act redefined "employee" to delete exclusion for individuals in manufacturing establishments subject to provisions of Fair Labor Standards Act; P.A. 73-82 redefined "employee" to specifically exclude persons employed in executive, administrative, professional or outside sales capacity; P.A. 77-154 excluded employees of nonprofit theaters which operate less than seven months a year from consideration as employees; P.A. 77-329 qualified exclusion of persons in domestic service from consideration as employees by adding exception and excluded baby-sitters; P.A. 78-358 raised minimum wage, pegged rates to "highest" federal minimum wage, changed basis of wage for beginners, etc. from one dollar and fifty cents for the first two hundred hours and one dollar and eighty-five cents thereafter to not less than eighty-five per cent of basic minimum wage for first two hundred hours and equaling basic minimum wage thereafter and deleted provision re minimum wage for agricultural employees; P.A. 79-41 redefined "employer" to include the state and its political subdivisions; P.A. 83-537 amended Subsec. (f) to exempt any individual employed as a head resident or resident assistant at a college or university from the definition of "employee"; P.A. 87-366 amended Subsec. (j) to increase the minimum fair wage to three dollars and seventy-five cents on October 1, 1987, and to four dollars and twenty-five cents on October 1, 1988; P.A. 93-144 redefined "employee" to delete specific exclusion of persons employed in a bona fide executive, administrative or professional capacity; P.A. 95-79 redefined "employer" to include a limited liability company, effective May 31, 1995; P.A. 98-44 amended Subsec. (j) to increase the minimum fair wage to five dollars and sixty-five cents on January 1, 1999, and to six dollars and fifteen cents on January 1, 2000; P.A. 00-144 amended Subsec. (j) to increase the minimum fair wage to six dollars and forty cents on January 1, 2001, and to six dollars and seventy cents on January 1, 2002; P.A. 02-33 amended Subsec. (j) by deleting prior minimum fair wage amounts and by increasing the minimum fair wage to six dollars and ninety cents on January 1, 2003, and to seven dollars and ten cents on January 1, 2004, effective July 1, 2002.

Cited. 219 C. 520, 522, 523.

Subsec. (f): Authority of labor commissioner to define term "employee" under former statute. 147 C. 277. When one qualifies as an "executive employee". Id. Cited. 160 C. 133, 139. Qualifications for bona fide administrative capacity exclusion discussed. 243 C. 454.

Sec. 31-58a. Minimum wage for minors in government or agricultural employment. Notwithstanding the provisions of subsection (j) of section 31-58, minors between the ages of sixteen and eighteen years who are employees of the state or any political subdivision thereof shall be paid a minimum wage of not less than eighty-five per cent of the minimum fair wage

as defined in said subsection, and notwithstanding the provisions of said subsection, minors between the ages of fourteen and eighteen who are agricultural employees shall be paid a minimum wage of not less than eighty- five per cent of the minimum fair wage as defined in said section except agricultural employees between the ages of fourteen and eighteen who are employed by employers who did not, during the preceding calendar year, employ eight or more workers at the same time shall be paid a minimum wage of not less than seventy per cent of the minimum wage as defined in said section 31-58.

(1971, P.A. 85, S. 2; 615, S. 3; P.A. 79-312, S. 1, 2.)

History: P.A. 79-312 added exceptions re payments to agricultural employees between fourteen and eighteen years old who are employed by employers who did not employ eight or more workers during preceding years.

TITLE 46b

Selected Family Law Statutes Regarding the Employment of Minor

CHAPTER 815t

JUVENILE MATTERS

VOCATIONAL PERMIT

- Sec. 46b-140. (Formerly Sec. 51-321). Disposition upon conviction of child as delinquent.** (a) In determining the appropriate disposition of a child convicted as delinquent, the court shall consider: (1) The seriousness of the offense, including the existence of any aggravating factors such as the use of a firearm in the commission of the offense and the impact of the offense on any victim; (2) the child's record of delinquency; (3) the child's willingness to participate in available programs; (4) the existence of other mitigating factors; and (5) the culpability of the child in committing the offense including the level of the child's participation in the planning and carrying out of the offense.
- (b) Upon conviction of a child as delinquent, the court may: (1) Place the child in the care of any institution or agency which is permitted by law to care for children; (2) order the child to participate in an alternative incarceration program; (3) order the child to participate in a wilderness school program operated by the Department of Children and Families; (4) order the child to participate in a youth service bureau program; (5) place the child on probation; (6) order the child or the parents or guardian of the child or both to make restitution to the victim of the offense in accordance with subsection (d) of this section; (7) order the child to participate in a program of community service in accordance with subsection (e) of this section; or (8) withhold or suspend execution of any judgment.
- (c) The court may order, as a condition of probation, that the child (1) reside with a parent, relative or guardian or in a suitable foster home or other residence approved by the court, (2) attend school and class on a regular basis and comply with school policies on student conduct and discipline, (3) refrain from violating any federal or state law or municipal or local ordinance, (4) undergo any medical or psychiatric evaluation or treatment deemed necessary by the court, (5) submit to random drug or alcohol testing, or both, (6) participate in a program of alcohol or drug treatment, or both, (7) make restitution to the victim of the offense in accordance with subsection (d) of this section, (8) participate in an alternative incarceration program or other program established through the Court Support Services Division, (9) participate in a program of community service, and (10) satisfy any other conditions deemed appropriate by the court. The court shall cause a copy of any such order to be delivered to the child, the child's parents or guardian and the child's probation officer.
- (d) If the child has engaged in conduct which results in property damage or personal injury, the court may order the child or the parent or parents or guardian of the child, if such parent or parents or guardian had knowledge of and condoned the conduct of the child, or both the child and the parent or parents or guardian, to make restitution to the victim of such offense, provided the liability of such parent or parents or guardian shall be limited to an amount not exceeding the amount such parent or parents or guardian would be liable for in an action under section 52-572. Restitution may consist of monetary reimbursement for the damage or injury, based on the child's or the parent's, parents' or guardian's ability to pay, as the case may be, in the form of a lump sum or installment payments, paid to the court clerk or such other official designated by the court for distribution to the victim.
- (e) The court may order the child to participate in a program of community service under the supervision of the court or any organization designated by the court. Such child shall not be deemed to be an employee and the services of such child shall not be deemed employment.
- (f) If the court further finds that its probation services or other services available to the court are not adequate for such child, the court shall commit such child to the Department of Children and Families in accordance with the provisions of section 46b-141. Prior to making such commitment, the court shall consult with the department to determine the placement which will be in the best interest of such child.
- (g) Any child or youth coming within the jurisdiction of the court, who is found to be mentally ill, may be committed by said court to the Commissioner of Children and Families and, if the court convicts a child as delinquent and finds such child to be mentally deficient, it may commit such child to an institution for mentally deficient children or youth or delinquents. Whenever it is found that a child convicted by the court as delinquent or adjudged by the court to be a member of a family with service needs who is fourteen years of age or older would not benefit from continued school attendance, the court may order such child to be placed on vocational probation if such court finds that such child may properly be employed for part or

full-time at some useful occupation and that such employment would be favorable to such child's welfare, and the probation officer shall supervise such employment. For the purposes of this section, the limitations of subsection (a) of section 31-23 on the employment of minors under the age of sixteen years shall not apply for the duration of such vocational probation.

(h) Whenever the court commits a child to the Department of Children and Families, there shall be delivered with the mittimus a copy of the results of the investigations made as required by section 46b-134. The court may, at any time, require from the department in whose care a child has been placed such report as to such child and such child's treatment.

(i) If the delinquent act for which the child is committed to the Department of Children and Families is a serious juvenile offense, the court may set a minimum period of twelve months during which the child shall be placed in a residential facility operated by or under contract with said department, as determined by the Commissioner of Children and Families. The setting of such minimum period shall be in the form of an order of the court included in the mittimus. For good cause shown in the form of an affidavit annexed thereto, the Department of Children and Families, the parent or guardian of the child or the child may petition the court for modification of any such order.

(j) Except as otherwise provided in this section, the court may order a child be (1) committed to the Department of Children and Families and be placed directly in a residential facility within this state and under contract with said department, or (2) committed to the Commissioner of Children and Families for placement by the commissioner, in said commissioner's discretion, (A) with respect to the juvenile offenders determined by the Department of Children and Families to be the highest risk, in the Connecticut Juvenile Training School or other state facility, presumptively for a minimum period of twelve months, or (B) in a private residential or day treatment facility within or outside this state, or (C) on parole. The commissioner shall use a risk and needs assessment classification system to ensure that children who are in the highest risk level will be placed in the Connecticut Juvenile Training School.

(k) Any female child committed to the Connecticut Juvenile Training School shall be separated from any contact with male children in said facility. Separation shall be accomplished through architectural means, through time-phasing of common use nonresidential areas and through policies and procedures. No program activities may be shared by female and male children in said facility. For the purposes of this subsection, "contact" includes any physical or sustained sight or sound contact; "sight contact" means clear visual contact between female and male children within close proximity to each other; and "sound contact" means direct oral communication between female and male children.

(l) Notwithstanding any provisions of the general statutes concerning the confidentiality of records and information, whenever a child convicted as delinquent is committed to the Department of Children and Families, the Commissioner of Children and Families shall have access to the following information: (1) Educational records of such child; (2) records regarding such child's past treatment for physical or mental illness, including substance abuse; (3) records regarding such child's prior placement in a public or private residential facility; (4) records created or obtained by the Judicial Department regarding such child; and (5) records, as defined in subsection (a) of section 17a-28. The Commissioner of Children and Families shall review such information to determine the appropriate services and placement which will be in the best interest of the child.

(1949 Rev., S. 2813; 1955, S. 1578d; 1957, P.A. 41; 1969, P.A. 498, S. 1; 664, S. 9; P.A. 75-226, S. 2; 75-567, S. 77, 80; 75-602, S. 9, 13; P.A. 76-436, S. 27, 681; P.A. 78-188, S. 6, 8; P.A. 79-581, S. 6; P.A. 84-10; 84-389, S. 1; P.A. 89-273, S. 5; 89-390, S. 20, 37; P.A. 90-161, S. 5, 6; 90-240, S. 5, 6; 90-325, S. 19, 32; P.A. 93-91, S. 1, 2; P.A. 94-136, S. 2; 94-221, S. 14; P.A. 95-225, S. 22; P.A. 98-70, S. 3; 98-256, S. 6; P.A. 99-26, S. 12, 39; P.A. 01-211, S. 14; P.A. 02-132, S. 23.)

History: 1969 acts restated provisions and divided section into Subsecs., inserting new provision authorizing commitment of child to department of children and youth services as Subsec. (b); P.A. 75-226 added provisions in Subsec. (a) re orders for child to do work in public buildings or on public property; P.A. 75-567 deleted references to youths judged to be delinquent in Subsec. (c); P.A. 75-602 restored references to youths deleted by P.A. 75-667 in Subsec. (c) and authorized commitment of child or youth to commissioner of children and youth services rather than to "a hospital or other institution empowered by law to treat mentally ill children" in that Subsec.; P.A. 76-436 deleted reference to juvenile court in Subsec. (d), reflecting transfer of juvenile court's powers and duties to superior court, effective July 1, 1978; P.A. 78-188 authorized court to order child to make restitution in Subsec. (a); P.A. 79-581 added Subsec. (e) re procedure where delinquent act is a serious juvenile offense; Sec. 17-68 temporarily renumbered as Sec. 51-321 and ultimately transferred to Sec. 46b-140 in 1979, (see note to Sec. 17-68) and references to other sections within provisions revised as necessary by the Revisors to reflect their transfer; P.A. 84-10 amended Subsec. (c) by authorizing a court to place a child who is a member of a family with service needs on vocational probation if certain findings are made; P.A. 84-389 amended Subsec. (b) by adding provision that prior to making commitment, court shall consult with department to determine placement in best interests of child and amended Subsec. (d) by deleting references to commitment to any institution, person or agency other than the department of children and youth services; P.A. 89-273 amended Subsec. (e) to delete reference to a "mandatory" transfer hearing to conform to changes made by act to Sec. 46b-126; P.A. 89-390 amended Subsec. (a) by authorizing the court to order the child to participate in a wilderness school program operated by the department of children and youth services; P.A. 90-161 added provision in Subsec.

(a) permitting the court, as a condition of probation, to order the child to participate in a program of periodic drug testing and treatment; P.A. 90-240 deleted the term "defective delinquents"; P.A. 90-325 changed effective date of P.A. 90-240 from July 1, 1990, to July 1, 1991; P.A. 93-91 substituted commissioner and department of children and families for commissioner and department of children and youth services, effective July 1, 1993; P.A. 94-136 amended Subsec. (a) by authorizing the court to order the child to participate in an alternative incarceration program; P.A. 94-221 amended Subsec. (a) to provide for participation in a youth service bureau program and expanded the list of possible conditions of probation to include attendance at school and class on a regular basis and compliance with school policies on student conduct and discipline; P.A. 95-225 added a new Subsec. (a) re factors the court shall consider in determining the appropriate disposition of a child convicted as delinquent, designated provisions of former Subsec. (a) re disposition alternatives as Subsec. (b) and amended said Subsec. to replace the provision authorizing the court to "adjudge" a child delinquent and take one of the enumerated actions "if it finds that the child is delinquent and needs the care, discipline or protection of the state" with provision authorizing the court to take one of the enumerated actions "Upon conviction of the child as delinquent", insert Subdiv. indicators and add Subdiv. (6) re restitution and Subdiv. (7) re community service, designated provisions of former Subsec. (a) authorizing the court to order as a condition of probation school attendance or drug testing or treatment as Subsec. (c) and amended said Subsec. to include "alcohol" testing and treatment, deleted provisions of former Subsec. (a) authorizing the court to order the child to do work of which he is capable in public buildings and on public property or make restitution of the fruits of his offense or make restitution in an amount he can afford to pay or provide in a suitable manner for the loss or damage caused thereby provided the child and his parent or guardian accept such disposition, added new Subsec. (d) authorizing the court to order the child or the parent or parents or guardian of the child, or both, to make full or partial restitution to the victim of the offense, added new Subsec. (e) authorizing the court to order the child to participate in a program of community service, redesignated former Subsec. (b) as Subsec. (f), redesignated former Subsec. (c) as Subsec. (g) and amended said Subsec. to replace "adjudges" and "adjudged" with "convicts" and "convicted", respectively, redesignated former Subsec. (d) as Subsec. (h), redesignated former Subsec. (e) as Subsec. (i) and amended said Subsec. to delete in Subdiv. (1) the maximum period of six months during which the child shall be placed out of his town of residence, delete former Subdiv. (2) that had required the court to impose a period of one year during which a child who had committed a serious juvenile offense and been subject to a transfer hearing shall be placed out of his town of residence, and redesignate former Subdiv. (3) as Subdiv. (2); P.A. 98-70 added new Subsec. (j) re access by Commissioner of Children and Families to educational records, treatment records, records of prior placement in residential facility and records of Judicial Department of child convicted as delinquent and committed to department; P.A. 98-256 amended Subsec. (b) to replace in Subdiv. (5) "order the child to remain in his own home or in the custody of a relative or any other fit person subject to the supervision of the probation officer" with "place the child on probation" and amended Subsec. (c) to specify the conditions of probation that a court may order by adding new Subdiv. (1) re place of residence, new Subdiv. (3) re refraining from violations of law, new Subdiv. (4) re medical or psychiatric evaluation or treatment, new Subdiv. (7) re restitution, new Subdiv. (8) re participation in alternative incarceration program, new Subdiv. (9) re participation in community service program and new Subdiv. (10) re satisfaction of other appropriate conditions and by redesignating former Subdiv. (1) re school attendance and compliance with school policies as Subdiv. (2) and by dividing former Subdiv. (2) re alcohol and drug testing and treatment into Subdiv. (5) re testing and Subdiv. (6) re treatment, and to add requirement that the court cause a copy of the order to be delivered to the child, the child's parents or guardian and the child's probation officer, amended Subsec. (g) to authorize the court to place on vocational probation a child who "would not benefit from continued school attendance" rather than a child who is "either mentally deficient or too educationally retarded to benefit from school attendance" and require the court to find that such employment would be "favorable to the child's welfare" rather than "more favorable to his welfare than commitment to an institution" and amended Subsec. (i) to make technical changes; P.A. 99-26 amended Subsec. (i) to authorize the court to set "a minimum period of twelve months during which the child shall be placed in a residential facility operated by or under contract with said department, as determined by the Commissioner of Children and Families" rather than "a period of time during which the Department of Children and Families shall place such child out of his town of residence at the commencement of such child's commitment" and to authorize a petition for "modification of any such order" rather than for "temporary modification of any such order not to extend or reduce the term of such placement", added new Subsec. (j) re commitment and placement options for the sentencing court, placement options for the Commissioner of Children and Families and the use of a risk and needs assessment classification system by the commissioner, added Subsec. (k) re sight and sound separation of female offenders and prohibition on sharing of program activities, redesignated former Subsec. (j) as Subsec. (l) and made technical changes in Subsecs. (g) and (h) for purposes of gender neutrality, effective upon the filing with the Governor and the General Assembly of written certification by the Commissioner of Children and Families that the new Connecticut Juvenile Training School is operational (Revisor's note: Said written certification was filed with the Senate and House Clerks on September 20, 2001, and with the Governor on September 21, 2001); P.A. 01-211 amended Subsec. (d) to replace "full or partial restitution" with "resitution"; P.A. 02-132

amended Subsec. (c)(8) by replacing "Office of Alternative Sanctions" with "Court Support Services Division".

See Sec. 17a-10 re Children and Families Commissioner's custody of committed children, re support and health services for such children and re extension or termination of commitment.

Annotations to former section 17-68:

Cited. 162 C. 243.

Suspension of sentence and suspension of execution of a commitment distinguished; juvenile court has no power as to the latter. 19 CS 433. Cited. 26 CS 316. See note to Sec. 46b-121.

Annotations to present section:

Cited. 199 C. 693, 713, 714. Cited. 204 C. 630, 633. Cited. 207 C. 270, 271. Cited. 211 C. 151 162, 165.

Subsec. (a):

Cited. 199 C. 693, 713. Cited. 207 C. 270, 273. Cited. 211 C. 151, 159.

Subsec. (b):

Cited. 199 C. 693, 695, 715. Cited. 207 C. 270, 273, 275. Cited. 211 C. 151, 159, 166.

Subsec. (c):

Cited. 206 C. 323, 328.

Subsec. (e):

Subdiv. (1) cited. 204 C. 630, 633. Subdiv. (2) cited. Id., 630, 634.